

# AGENDA

## HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, JANUARY 23, 2007  
HUNTINGTON BEACH CIVIC CENTER  
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:15 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

### CALL PLANNING COMMISSION MEETING TO ORDER

**ROLL CALL:** *Shier-Burnett, Speaker, Livengood, Scandura, Farley, Horgan, Dwyer*

### AGENDA APPROVAL

#### **A. PROJECT REVIEW (FUTURE AGENDA ITEMS):**

**A-1. ZONING TEXT AMENDMENT NO. 06-08 (AMENDING SECTION 230.96-WIRELESS COMMUNICATIONS FACILITIES)** – Rosemary Medel

**A-2. CONDITIONAL USE PERMIT NO. 05-29 (HB DENTAL BUILDING)** – Rami Talleh

#### **B. STUDY SESSION ITEMS:**

**B-1. RULES, PROTOCOLS, AND BYLAWS** – Chairperson Scandura

**B-2. COMMITTEE ASSIGNMENTS** – Chairperson Scandura

**B-3. CHAIR GOALS 2007** – Chairperson Scandura

**B-4. ANNUAL PLANNER'S INSTITUTE – LEAGUE OF CALIFORNIA CITIES (MARCH 21-27, 2007, SAN DIEGO)** – Chairperson Scandura

#### **C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS)** – Herb Fauland

#### **D. PLANNING COMMISSION COMMITTEE REPORTS**

#### **E. PUBLIC COMMENTS** – Regarding Project Review or Study Session portions of Meeting

Anyone wishing to speak on Project Review or Study Session items during PUBLIC COMMENTS may do so by filling out a Request To Speak form and giving it to the Secretary. (4 MINUTES PER PERSON, NO DONATING OF TIME TO OTHERS)

#### **F. PLANNING COMMISSION COMMENTS**

6:30 P.M. – RECESS FOR DINNER

**7:00 P.M. – COUNCIL CHAMBERS**

**CALL PLANNING COMMISSION MEETING TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** *Shier-Burnett, Speaker, Livengood, Scandura, Farley, Horgan, Dwyer*

**AGENDA APPROVAL**

**PRESENTATION OF PLANNING COMMISSION RESOLUTION NO. 1615 IN APPRECIATION TO OUTGOING CHAIRPERSON DINGWALL**

**A. ORAL COMMUNICATIONS**

Anyone wishing to speak during ORAL COMMUNICATIONS must fill out and submit a form to speak. The Planning Commission can take no action on this date, unless the item is agendaized. Any one wishing to speak on items not on tonight's agenda, a closed public hearing item, or on non-public hearing items may do so during ORAL COMMUNICATIONS. Please note comments on closed public hearing items will not be part of the permanent entitlement record. Speakers on items scheduled for PUBLIC HEARING will be invited to speak during the public hearing. (4 MINUTES PER PERSON, NO DONATING OF TIME TO OTHERS)

**B. PUBLIC HEARING ITEMS - NONE**

Anyone wishing to speak during an open PUBLIC HEARING must fill out and submit a form to speak. The public may address the Planning Commission only during the open PUBLIC HEARING items or during ORAL COMMUNICATIONS. Please review the agenda to determine whether the PUBLIC HEARING item is open or closed. If the PUBLIC HEARING on an item is closed, you will not be permitted to speak during that portion of the agenda and may wish to address your concerns during the ORAL COMMUNICATIONS portion of the agenda. Speakers on items scheduled for PUBLIC HEARING will be invited to speak during the public hearing. (4 MINUTES PER PERSON, WITH A MAXIMUM TIME DONATION OF 8 MINUTES, FOR A TOTAL OF 12 MINUTES PER SPEAKER)

**PROCEDURE:** Commission Disclosure Statement(s), Staff Report Presentation, Commission Questions, Public Hearing, Discussion/Action.

**C. CONSENT CALENDAR:**

**C-1. [PLANNING COMMISSION MINUTES DATED OCTOBER 10, 2006](#)**

**C-2. [PLANNING COMMISSION MINUTES DATED OCTOBER 24, 2006](#)**

**C-3. [PLANNING COMMISSION MINUTES DATED NOVEMBER 14, 2006](#)**

**C-4. [PLANNING COMMISSION MINUTES DATED DECEMBER 12, 2006](#)**

**D. NON-PUBLIC HEARING ITEMS:**

- D-1. EXTENSION OF TIME NO. 06-10 (PACIFIC CITY - TENTATIVE TRACT MAP NO. 16338)** **Applicant:** Michael Gagnet **Request:** To permit a one year extension of time for Tentative Tract Map No. 16338. **Location:** 21002 Pacific Coast Highway (between First and Huntington Streets, south of Atlanta Avenue) **Project Planner:** Jane James

**RECOMMENDATION:** Motion to: "Approve Extension of Time for Tentative Tract Map No. 16338 for a one year period of time to March 23, 2008."

**E. PLANNING ITEMS**

- E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING**
- E-2. CITY COUNCIL ITEMS FOR NEXT MEETING**
- E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING**

**F. PLANNING COMMISSION ITEMS**

- F-1. PLANNING COMMISSION REQUEST ITEMS – NONE**

- F-2. PLANNING COMMISSION COMMENTS**

**Commissioner Shier-Burnett -**

**Commissioner Speaker -**

**Vice Chairperson Livengood -**

**Chairperson Scandura -**

**Commissioner Farley -**

**Commissioner Horgan –**

**Commissioner Dwyer -**

**ADJOURNMENT:**

**Adjourn to the next regularly scheduled meeting of February 13, 2007.**

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Planning Commission is final unless an appeal is filed to the City Clerk by you or by an interested party. Said appeal must be in writing and must set forth in detail the action and grounds by which the applicant or interested party deems himself aggrieved. Said appeal must be accompanied by a filing fee of One Thousand Five Hundred Forty-One Dollars (\$1,541.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property or Two Thousand Three Hundred Seventy-Nine Dollars (\$2,379.00) if the appeal is filed by any other party. The appeal shall be submitted to the City Clerk within ten (10) calendar days of the date of the Planning Commission's action.

Copies of staff reports and/or written materials on each agenda item are on file in the Planning Department, for inspection by the public. A copy of the agenda packet is also available at the Central Library (7111 Talbert Avenue).

**VIDEO TAPES OF MEETINGS AVAILABLE FOR PUBLIC CHECK OUT AT THE CENTRAL LIBRARY, AND FOR DUPLICATION SERVICES IN THE CITY CLERK'S OFFICE.**



## **HUNTINGTON BEACH PLANNING COMMISSION**

### **Public Hearing Procedures**

This statement has been prepared to provide a better understanding of the procedures for public hearings before the Planning Commission.

Regular meetings of the Planning Commission are held on the second and fourth Tuesdays of each month beginning at 5:15 p.m. in Room B-8 for a study session and then at 7:00 PM in the Council Chambers. Adjourned meetings, special meetings, and Study Sessions may be scheduled at other times.

Planning Commission proceedings are governed by the Planning Commission By-Laws, Robert's Rules of Order and the Brown Act. The following is the typical sequence of events on public hearing items:

- A. The Chairperson shall announce the item and if the public hearing is open or closed.
- B. The Planning Commission shall disclose any discussions, conversations, etc., with applicants, applicant's representatives or property owners.
- C. The staff report is presented.
- D. Questions by the Planning Commission concerning the staff report may be answered at this time.
- E. The public hearing is opened by the Chairperson.
- F. The applicant or appellant is given an opportunity to address the Commission. Time is not limited but left to the Chairperson's discretion.
- G. Public Comments: Staff will call all speakers by name. Please proceed to the podium. Individuals favoring and opposing the proposal are given an opportunity to address the Commission (up to four (4) minutes), or may choose to donate their time to another speaker if the "Request to Speak" form is filled out and given to the Secretary. A speaker who addresses the Commission on behalf of individuals who donate time are allowed a maximum of 12 minutes. Individuals who donate time must be present when the item is being discussed. Please state your name before addressing the Commission.
- H. The Commission may ask questions of speakers addressing the Commission.
- I. The public hearing is closed.
- J. The Commission will deliberate the matter at this time.
- K. The Commission then acts on the matter by continuing, approving, conditionally approving, or denying the petition.

The Planning Commission receives a staff report packet on the Tuesday preceding the meeting, allowing time to review each case and make further investigations in the field prior to the scheduled meeting.

Staff reports are available in the Planning Department, the Central Library and on the City's website ([www.surfcity-hb.org](http://www.surfcity-hb.org)) anytime on Wednesday preceding the Tuesday Planning Commission meeting.



## City of Huntington Beach Planning Department **STUDY SESSION REPORT**

**TO:** Planning Commission  
**FROM:** Scott Hess, Acting Director of Planning  
**BY:** Rosemary Medel, Associate Planner *RM*  
**DATE:** January 23, 2007

**SUBJECT: ZONING TEXT AMENDMENT NO. 06-08 (AMENDING SECTION 230.96-  
WIRELESS COMMUNICATIONS FACILITIES)**

---

### **PROJECT REQUEST AND SPECIAL CONSIDERATIONS**

Zoning Text Amendment No. 06-08 represents a request for the following:

To amend Section 230.96 (Wireless Communication Facilities) of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO).

### **CURRENT LAND USE, HISTORY OF SITE, GENERAL PLAN DESIGNATION**

LOCATION	GENERAL PLAN	ZONING	LAND USE
Citywide	All Land Use Categories	All Zoning Categories	All Land Uses

### **APPLICATION PROCESS AND TIMELINES**

DATE OF COMPLETE APPLICATION:

Not applicable

MANDATORY PROCESSING DATE:

Legislative Action-Not Applicable

The application is tentatively scheduled for the Planning Commission meeting of February 13, 2007 with City Council public hearing to follow.

### **CEQA ANALYSIS/REVIEW**

The proposed zoning text amendment is categorically exempt pursuant to City Council Resolution No. 4501, Class 20, which supplements the California Environmental Quality Act.

## **COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES**

The City Attorney's Office initiated this amendment pursuant to a temporary moratorium.

## **PUBLIC MEETINGS, COMMENTS AND CONCERNS**

The City Council considered and approved the moratorium at their regular meeting on August 7, 2006.

## **PLANNING ISSUES**

The City Attorney's Office initiated a temporary moratorium on the installation of wireless telecommunication facilities in the public right-of-way which was approved by the City Council on August 7, 2006. The moratorium prohibits the installation of any facilities used or associated with the transmission or reception of wireless communication services (including personal communication, cellular and paging) within, on, below, or above a City owned, operated or controlled street or alley, public rights-of-way in the sidewalks, and/or parkway adjacent thereto.

As of January 16, 2007 the City Attorney's Office has not provided the Planning Department with the legislative draft and the draft ordinance for inclusion in the staff report. The City Attorney's Office will either provide these documents or give an update on their status at the Planning Commission study session.



## City of Huntington Beach Planning Department

# STUDY SESSION REPORT

**TO:** Planning Commission  
**FROM:** Scott Hess, Acting Director of Planning  
**BY:** Rami Talleh, Associate Planner  
**DATE:** January 23, 2007

**SUBJECT: CONDITIONAL USE PERMIT NO. 05-29 (HB DENTAL BUILDING – 7792 WARNER AVE.)**

### PROJECT REQUEST AND SPECIAL CONSIDERATIONS

Conditional Use Permit No. 05-29 represents a request for the following:

To permit the construction of a 6,900 square foot medical office building on a 26,541 square foot vacant parcel of land. The proposed project includes a request to provide vehicular access to on-site parking from Warner Ave., an arterial highway, in addition to alley access. The subject site consists of four underlying parcels located mid-block between Ash Street and Oak Lane. The subject site abuts Warner Ave. to the north and an alley along the southerly property line. Section 231.02-E-3, *Access* of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) states that when a lot abuts an arterial highway and an alley vehicular access to on-site parking shall be provided from the alley unless the Planning Commission approves a different access.

### CURRENT LAND USE, HISTORY OF SITE, GENERAL PLAN DESIGNATION

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	CG-F1 (Commercial General– 0.35 max. Floor Area Ratio)	CG (Commercial General)	Vacant land
North of Subject Property (across Warner):	RMH-25 (Residential Medium High Density – 25 units per acre)	RMH (Residential Medium High Density)	Multi-Family Residential
East of Subject Property:	CG-F1	CG	Medical office building
South of Subject Property (across the alley):	RM-15 (Residential Medium Density – 15 units per acre)	RM (Residential Medium Density)	Multi-Family Residential
West of Subject Property:	CG-F1	CG	General office building

## **APPLICATION PROCESS AND TIMELINES**

**DATE OF COMPLETE APPLICATION:**      **MANDATORY PROCESSING DATE(S):**

Conditional Use Permit: December 22, 2006      February 20, 2007

Conditional Use Permit No. 05-29 was filed on September 7, 2005, and deemed complete December 22, 2006. The application is tentatively scheduled for the Planning Commission meeting of February 13, 2007.

## **CEQA ANALYSIS/REVIEW**

The proposed project is Categorically Exempt pursuant to Section 15303, Class 3 of the California Environmental Quality Act, which states that construction of small commercial buildings 10,000 square feet or less are exempt from further environmental review.

## **COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES**

The Departments of Building & Safety, Fire, and Public Works have reviewed the application and identified applicable code requirements provided in Attachment 3.

## **PUBLIC MEETINGS, COMMENTS AND CONCERNS**

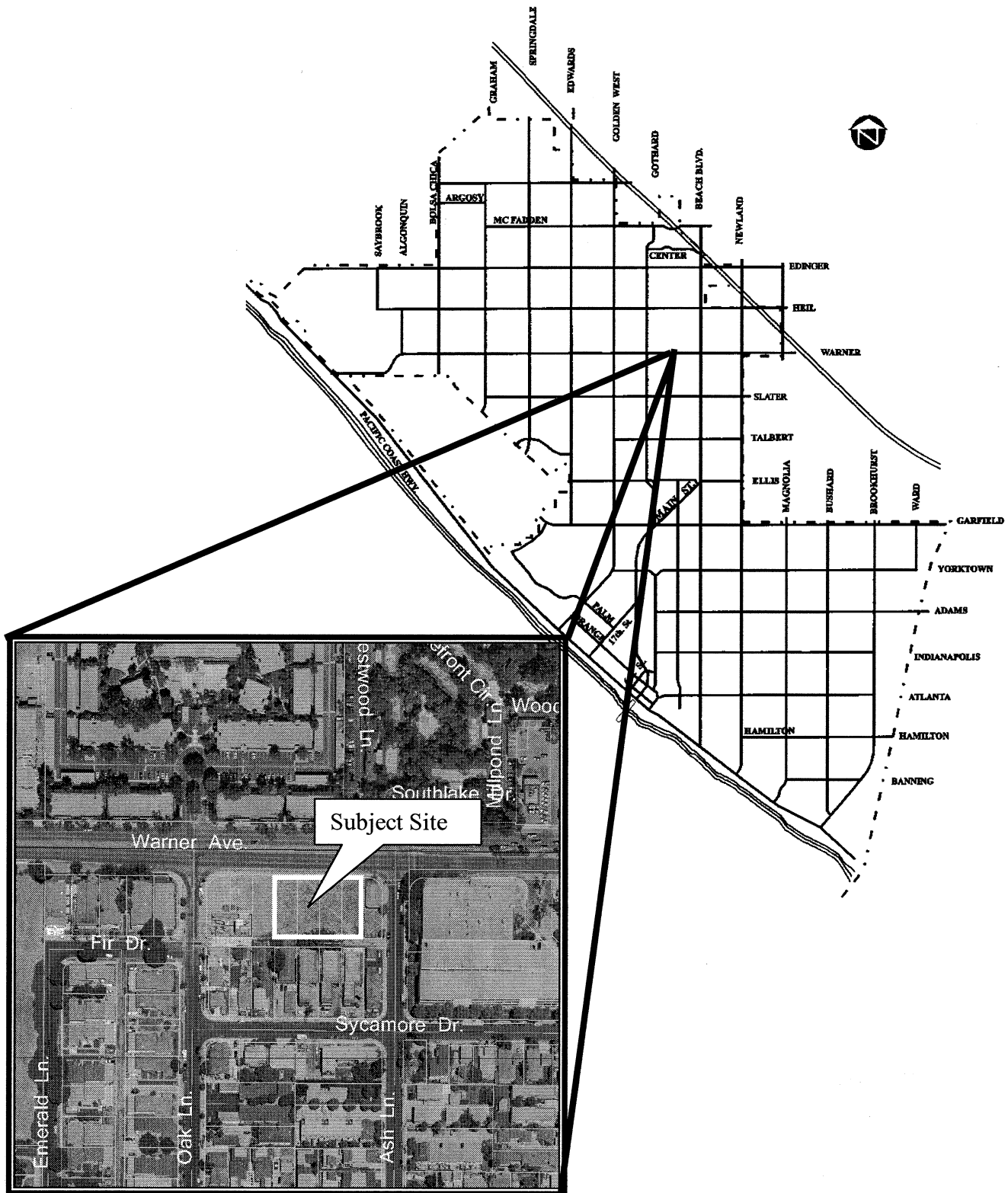
The Design Review Board (DRB) reviewed the proposed project on October 13, 2005. The DRB continued the project to a date uncertain in order for the applicant to obtain the Planning Commission approval of the Warner Avenue access first. To date, there have been no comments from the public regarding this request.

## **PLANNING ISSUES**

The primary issues regarding the proposed medical office building are land use compatibility and vehicular access. The subject is located on a commercially zoned property adjacent to commercial office and residential uses. Furthermore, the applicant proposes to provide vehicular access from Warner Avenue to on-site parking in addition to the abutting alley to provide more efficient and convenient access for visitors to the site.

## **ATTACHMENTS:**

1. Vicinity Map
2. Project Plans – Received and dated November 13, 2006
3. Code Requirements letter dated January 4, 2007 (For Informational Purposes Only)



**VICINITY MAP**  
**CONDITIONAL USE PERMIT NO. 05-29**  
**(HB DENTAL BUILDING – 7792 WARNER AVENUE)**

[illegible]

### LEGEND & SYMBOLS

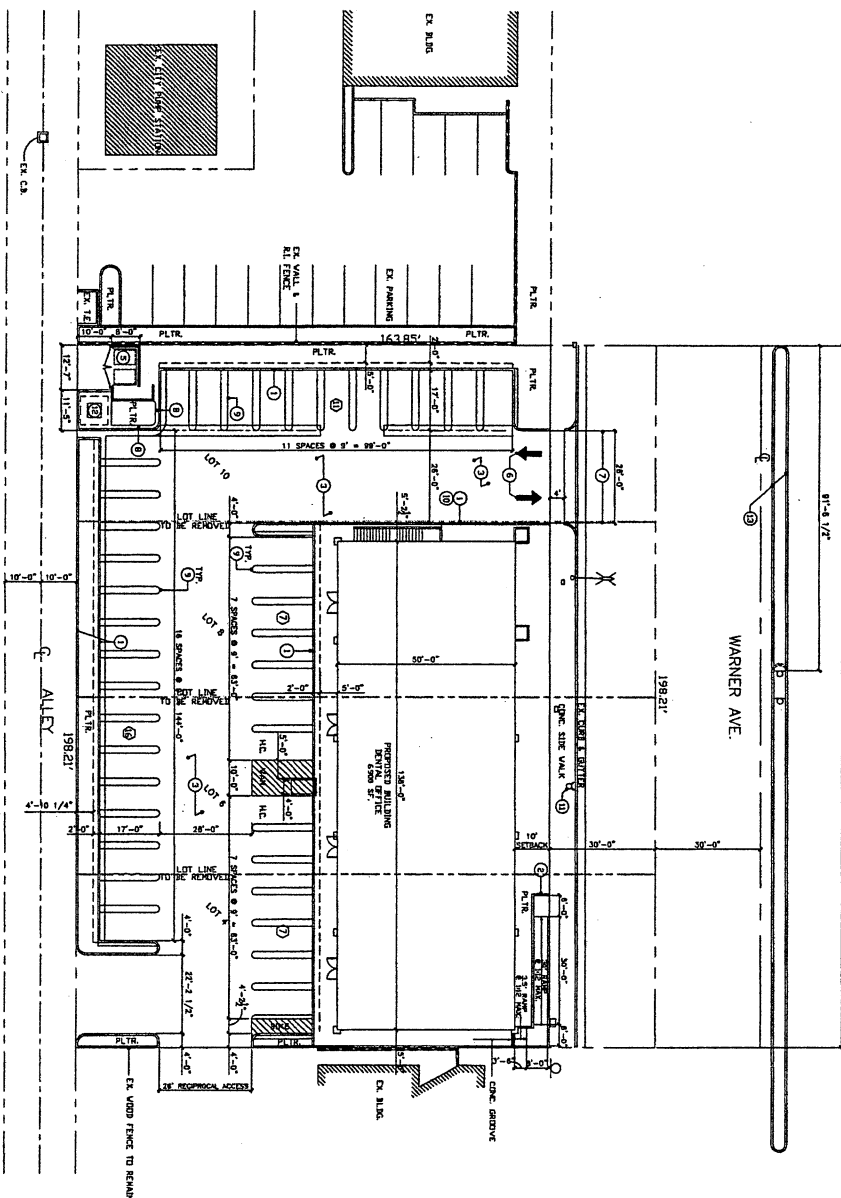
INDICATES NUMBER OF PARKING SPACES

INDICATES PORTLAND CEMENT CONCRETE SURFACE

PROPOSED CONCRETE CURB

## SHEET INDEX

A-1	SITE PLAN
A-2	ROOF AND FLOOR PLAN
A-3	ELEVATIONS AND SECTION
C-1	GRADING PLAN

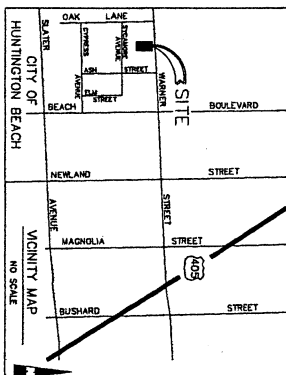


## PROJECT DATA

ZONE	AREA	AREA	AREA
LOT AREA	25.57 SF	25.57 SF	25.57 SF
	6,400 SF	175 SF	39.43
DERIVATIVE OFFICE	16.97	17,000 SF	0.16
	34.97	1,000 SF	0.36
MECHANICAL OFFICE	14.97	1,000 SF	0.14
	14.97	1,000 SF	0.14
STORAGE	14.97	1,000 SF	0.14
	14.97	1,000 SF	0.14
ROOF ACCESS	14.97	1,000 SF	0.14
	14.97	1,000 SF	0.14
TOTAL BUILDING AREA	14.97	1,000 SF	0.14
	14.97	1,000 SF	0.14

**PAYING DATA**

UTS SF = 34.42  
I/200 SF = 0.45  
I/1000 SF = 0.36  
I/1000 SF = 0.14

**PROJECT MATRICE**

PROJECT MATRIX			
SUBJECT	CASE SECTION	REMARKS	PARAGRAPHS
PARKING	20104	<p>REPAVEMENT OFFICES ONE SPACE PER 15 SF. 6,000 SF. = 904 SPACES</p> <p>MEZZANINE OFFICE ONE SPACE PER 100 SF. 16,500 SF. = 165 SPACES</p> <p>STORAGE &amp; ROOF ACCESS ONE SPACE PER 1000 SF. 500 SF. = 050 SPACES</p> <p>REQUIRED PARKING = 4071</p>	41 SPACES
LANDSCAPE	20106	<p>ONE 1/2 ACRE SITE SITE AREA = 13,068 SF. REQUIRED 8% = 1024 SF.</p>	41 SPACES
SITE CONVEYER	20106	<p>HAVING 55% OF ENTIRE SITE SITE = 26,241 SF. ALLOWABLE 55% = 14,433 SF.</p>	4560 SF. = 178
STREETS FROM YARD	20106	<p>PERMANENT DIVERSION = 10 FT.</p>	10 FT.

## **ONSITE CONSTRUCTION:**

- 1 CONCRETE & REINFORCEMENT TO MATCH EXISTING
- 2 CONCRETE, REINFORCE & CONCRETE SUMP / PAVEMENT 112.50
- 3 CONCRETE 3" ASPHALT CONCRETE OVER 3" ASPHALT
- 4 ~~CONCRETE 6" HIGH CONCRETE WALKWAY, REINFORCE~~
- 5 ~~CONCRETE 6" HIGH CONCRETE WALKWAY, REINFORCE~~
- 6 ~~PER CITY STANDARD (SEE ALL PER SERVANT PLAN~~
- 7 ~~DISCREETION, APPROX~~
- 8 CONCRETE CONCRETE DRIVEWAY PER CITY STANDARD
- 9 CONCRETE 1" HIGH CONCRETE STRENGTH
- 10 PAVEMENT LOT STRIPING PER CHAPTER 221, DIVISION A OF
- 11 OHIO PAINTED MARK WITH NO PARKING SIGN
- 12 NEW FINE INTERLOCK PER EDITION REQUIREMENTS
- 13 TRANSFORMER PER EDITION REQUIREMENTS
- 14 CONCRETE MEDIAN INLET PER CIVIL PLAN

**CITY OF HUNTINGTON BEACH NOTES:**

1. AN ENCROACHMENT PERMIT IS REQUIRED FOR ALL WORK WITHIN THE CITY'S RIGHT-OF-WAY
2. PARKING LOT STRIPING SHALL COMPLY WITH CHAPTER 231 OF THE ZONING AND SUBDIVISION ORDINANCE AND TITLE 24, CALIFORNIA ADMINISTRATIVE CODE.
3. A SET OF LANDSCAPE PLANS SHALL BE IN CONFORMANCE WITH CHAPTER 232 OF ZONING AND SUBDIVISION ORDINANCE AND SHALL BE SUBMITTED TO DEPARTMENT OF PUBLIC WORKS FOR APPROVAL

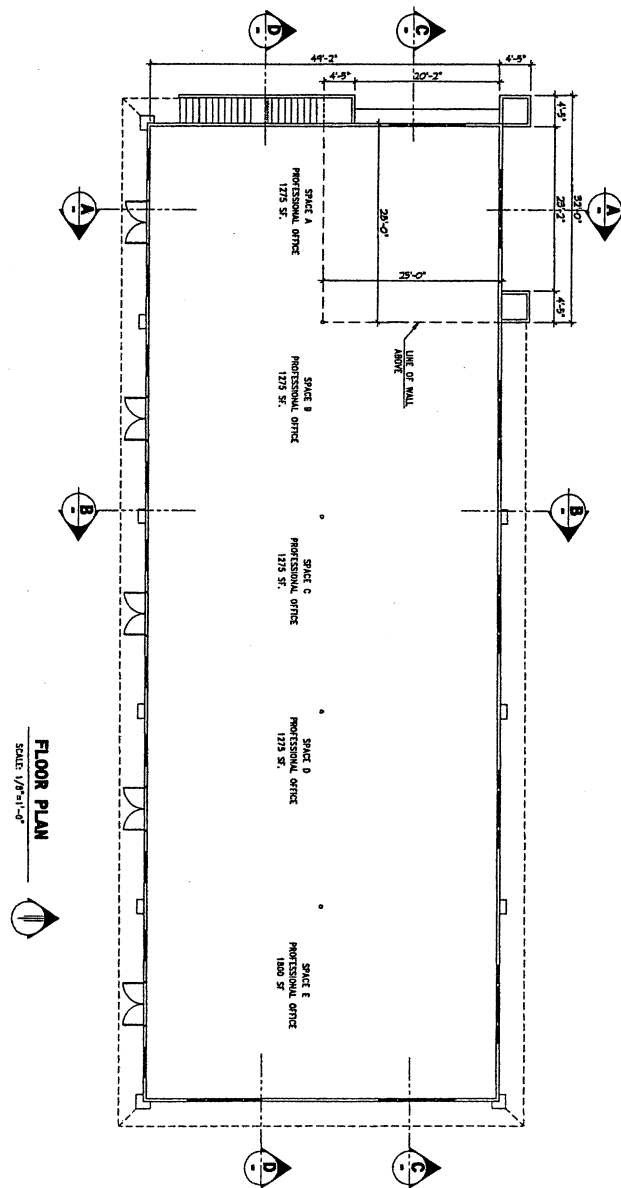
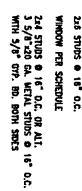
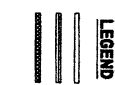
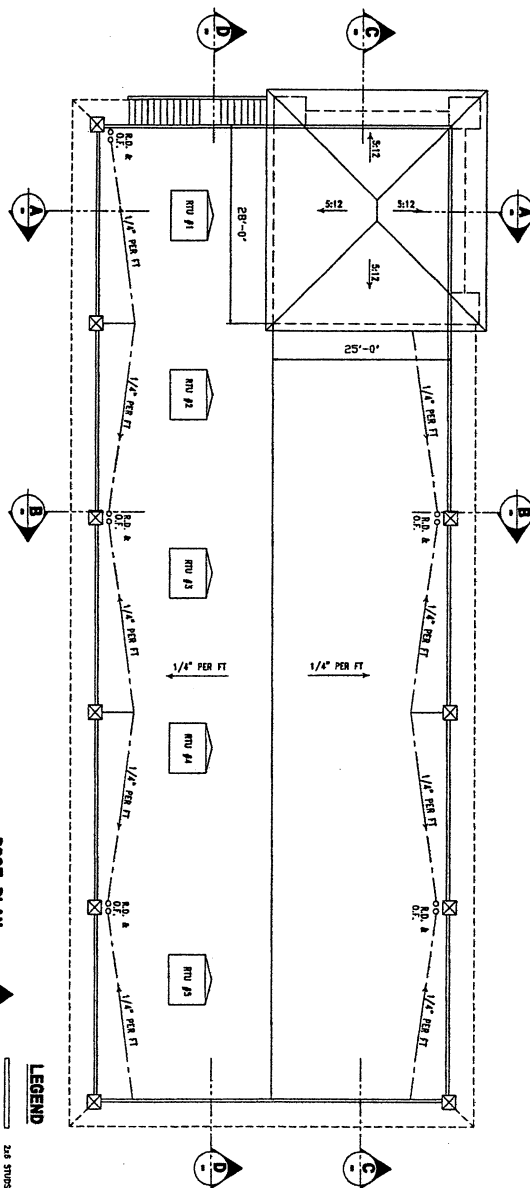
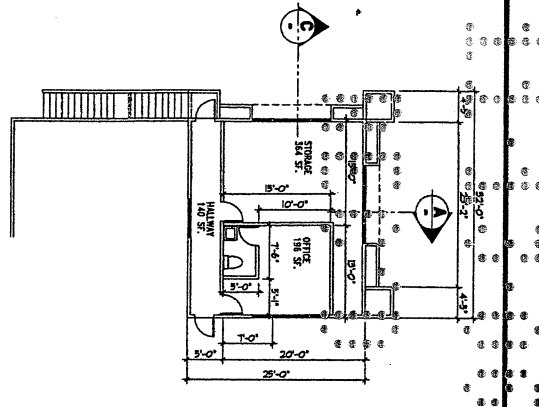
**PREPARED BY:**  
**R.C.E.**  
**2082 S.E. BRISTOL STREET, SUITE 208**  
**NEWPORT BEACH, CA 92660**  
**PH. (949) 975-1328 FAX (949) 975-0379**

**SITE PLAN**  
**FOR: HUNTINGTON BEACH DENTAL**  
**ADD: 7782 WARNER AVENUE**  
**HUNTINGTON BEACH, CA**

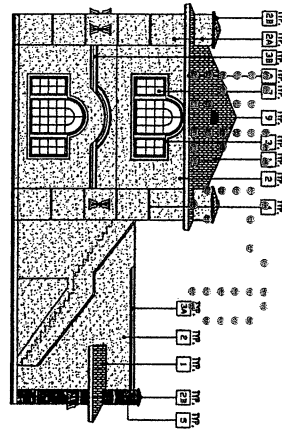
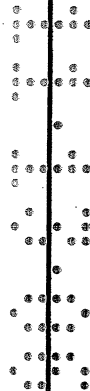
## SITE PLAN

**A-1**

ATTACHMENT NO. 2.1

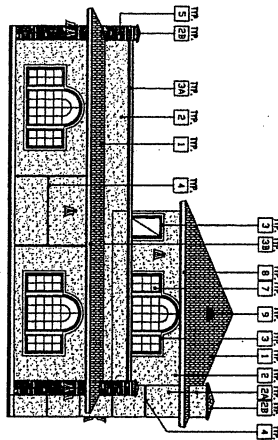






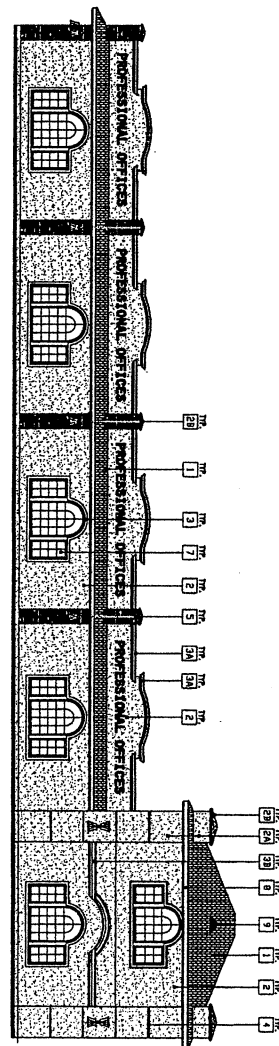
WEST ELEVATION

SCALE: 1/8"=1'-0"



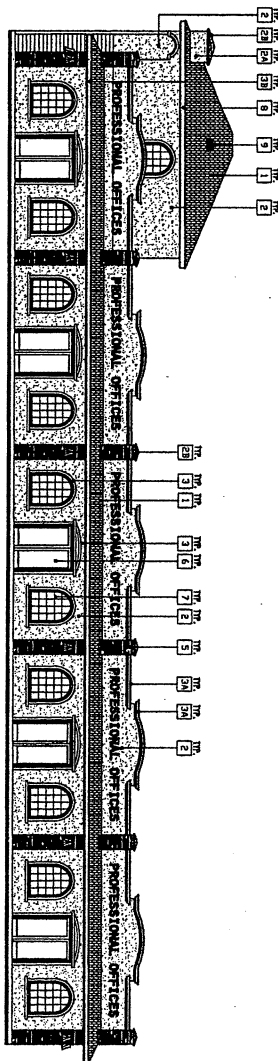
EAST ELEVATION

SCALE: 1/8"=1'-0"



NORTH ELEVATION (WARNER)

SCALE: 1/8"=1'-0"



SOUTH ELEVATION (ALLEY)

SCALE: 1/8"=1'-0"

KEY NOTES:

- 1 T&B, GREEN, TERRAZZOTA & T&B, BROWN, CARPENTERS TILE
- 2 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 3 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 4 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 5 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 6 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 7 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 8 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 9 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 10 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 11 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 12 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 13 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 14 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 15 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 16 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 17 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 18 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 19 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)
- 20 SAND FRESH STICKS, (4-55 FRENCH VANILLA BY LAMARCA)

ELEVATIONS AND SECTION  
FOR: HUNTINGTON BEACH DENTAL  
ADD: 7782 WARNER AVENUE  
HUNTINGTON BEACH, CA

PREPARED BY:  
R.C.E.  
2082 S.E. BRISTOL STREET, SUITE 206  
NEWPORT BEACH, CA 92660  
PH. (949) 975-1328 FAX (949) 975-0379

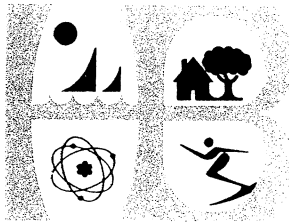
ELEVATIONS

A-3









# City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

## DEPARTMENT OF PLANNING

Phone 536-5271  
Fax 374-1540

January 4, 2007

Hossein Mazi  
SVL Box 8440  
Victorville, CA 92395

**SUBJECT: Conditional Use Permit No. 05-29 (Huntington Beach Dental Building)**

Dear Mr. Mazi,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This preliminary list is intended to help you through the permitting process and various stages of project implementation.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Planning Commission. Please note that if the design of your project changes or if site conditions change, the list may also change based upon modifications to your project and the applicable city policies, standard plans, and development and use requirements.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at 714-374-1682 and/or the respective source department (abbreviation in parenthesis at end of each condition – contact person below).

Sincerely,

Rami Talleh  
Associate Planner

Enclosures

cc: Gerald Caraig, Building and Safety Department – 714-374-1575  
Eric Engberg, Fire Department – 714-536-5564  
Terri Elliott, Public Works – 714-536-5580  
Herb Fauland, Principal Planner  
Jason Kelley, Planning Department

**ATTACHMENT NO. 31**

# **PLANNING DEPARTMENT**

## **DRAFT CODE REQUIREMENTS, POLICIES, AND STANDARD PLANS OF THE HUNTINGTON BEACH ZONING & SUBDIVISION ORDINANCE AND MUNICIPAL CODE**

**PROJECT:** Conditional Use Permit No. 05-29 (Huntington Beach Dental Building)

**ADDRESS:** Warner Avenue (south side of Warner Ave., west of Beach Blvd.)

The draft list is intended to assist the applicant by identifying a preliminary list of code requirements applicable to the proposed project, which must be satisfied during the various stages of project implementation. Any conditions of approval adopted by the Planning Commission would also be applicable to your project. A final list of requirements will be provided upon approval by the applicable discretionary body. If you have any questions regarding these requirements, please contact the Project Planner and the applicable Department Representative.

### **CONDITIONAL USE PERMIT NO. 05-29:**

1. The site plan, floor plans, and elevations approved by the Planning Commission shall be the conceptually approved design with the following modifications:
  - a. Elevations shall be revised for consistency with plans and elevations approved by the Design Review Board and maintained in case file DRB No. 05-027.
  - b. Parking lot striping shall comply with Chapter 231 of the Zoning and Subdivision Ordinance and Title 24, California Administrative Code.
  - c. Depict all utility apparatus, such as but not limited to, back flow devices and Edison transformers on the site plan. Utility meters shall be screened from view from public right-of-ways. Electric transformers in a required front or street side yard shall be enclosed in subsurface vaults. Backflow prevention devices shall be prohibited in the front yard setback and shall be screened from view.
  - d. All exterior mechanical equipment shall be screened from view on all sides. Rooftop mechanical equipment shall be setback a minimum of 15 feet from the exterior edges of the building. Equipment to be screened includes, but is not limited to, heating, air conditioning, refrigeration equipment, plumbing lines, ductwork and transformers. Said screening shall be architecturally compatible with the building in terms of materials and colors. If screening is not designed specifically into the building, a rooftop mechanical equipment plan showing proposed screening must be submitted for review and approval with the application for building permit(s).
  - e. Depict the location of all gas meters, water meters, electrical panels, air conditioning units, mailboxes (as approved by the United States Postal Service), and similar items on the site plan and elevations. If located on a building, they shall be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas and comply with required setbacks.
  - f. Energy saving lamps shall be used for all outdoor lighting. All outside lighting shall be directed to prevent "spillage" onto adjacent properties. The type and location of all exterior lighting shall be on the site plan and elevations.
  - g. Bicycle parking facilities shall be provided in accordance with the provisions of HBZSO Section 231.20 – *Bicycle Parking*.
2. Prior to issuance of grading permits, the following shall be completed:
  - a. Blockwall/fencing plans (including a site plan, section drawings and elevations, depicting the height and material of all retaining walls, freestanding walls and fences) consistent with the grading plan, shall be submitted to and approved by the Planning Department. Double walls shall

be prohibited. Prior to construction of any new property line walls or fences, a plan, approved by the owners of adjacent properties, and identifying the removal of any existing walls, shall be submitted to the Planning Department for review and approval. The plans shall identify proposed wall and fence materials, seep holes and drainage.

3. Prior to submittal for building permits, the following shall be completed:
  - a. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
  - b. Submit three (3) copies of the site plan and floor plans and the processing fee to the Planning Department for addressing purposes. The address assignment shall be reviewed and approved by the Planning Department prior to submittal for building permits.
4. Prior to issuance of building permits, the following shall be completed:
  - a. The subject property shall enter into irrevocable reciprocal driveway easements, between the subject site and adjacent easterly property. The location and width of the accessway shall be reviewed and approved by the Planning Department and Public Works Department. The subject property owner shall be responsible for making necessary improvements to implement the reciprocal driveway. The legal instrument shall be submitted to the Planning Department a minimum of 30 days prior to building permit issuance. The document shall be approved by the Planning Department and the City Attorney as to form and content and, when approved, shall be recorded in the Office of the County Recorder prior to final building permit approval. A copy of the recorded document shall be filed with the Planning Department for inclusion in the entitlement file prior to final building permit approval. The recorded agreement shall remain in effect in perpetuity, except as modified or rescinded pursuant to the expressed written approval of the City of Huntington Beach.
  - b. A lot line adjustment consolidating the four parcels on the subject site shall be submitted and approved pursuant to Title 25 of the Huntington Beach Zoning and Subdivision Ordinance. Said lot line adjustment shall be recorded prior to issuance of a building permit.
  - c. A planned sign program for all signage shall be submitted to the Planning Department. Said program shall be approved prior to the first sign request.
  - d. All new commercial and industrial development and all new residential development not covered by Chapter 254 of the Huntington Beach Zoning and Subdivision Ordinance, except for mobile home parks, shall pay a park fee, pursuant to the provisions of HBZSO Section 230.20 – *Payment of Park Fee*. The fees shall be paid and calculated according to a schedule adopted by City Council resolution (*City of Huntington Beach Planning Department Fee Schedule*).
5. During demolition, grading, site development, and/or construction, the following shall be adhered to:
  - a. All Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, grading, remodeling, or repair shall be limited to Monday - Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays.
6. The structure cannot be occupied, the final building permit(s) cannot be approved, and utilities cannot be released until the following has been completed:

- a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
  - b. A Certificate of Occupancy must be approved by the Planning Department and issued by the Building and Safety Department.
7. The Planning Director ensures that all requirements herein are complied with. The Planning Director shall be notified in writing if any changes to the site plan, elevations and floor plans are proposed as a result of the plan check process. Building permits shall not be issued until the Planning Director has reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action and the conditions herein. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the Huntington Beach Zoning and Subdivision Ordinance.
8. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
9. Conditional Use Permit No. 05-29 shall not become effective until the ten calendar day appeal period from the Planning Commission Approval of the entitlements has elapsed.
10. Conditional Use Permit No. 05-29 shall become null and void unless exercised within one year of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Department a minimum 30 days prior to the expiration date.
11. The Planning Commission reserves the right to revoke Conditional Use Permit No. 05-29 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs.
12. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein.
13. Construction shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Construction shall be prohibited Sundays and Federal holidays.
14. The applicant shall submit a check in the amount of \$43.00 for the posting of the Notice of Exemption/Determination at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Planning Commission's.
15. All permanent, temporary, or promotional signs shall conform to Chapter 233 of the HBZSO. Prior to installing any new signs, changing sign faces, or installing promotional signs, applicable permit(s) shall be obtained from the Planning Department. Violations of this ordinance requirement may result in permit revocation, recovery of code enforcement costs, and removal of installed signs.





**CITY OF HUNTINGTON BEACH**  
**INTERDEPARTMENTAL COMMUNICATION**

**TO:** Rami Talleh, Associate Planner  
**FROM:** Steve Bogart, Associate Civil Engineer *SB*  
**DATE:** December 14, 2006  
**SUBJECT:** CUP 05-29 / DR 05-27 (7792 Warner Avenue)  
PA #2005-0148 – Development Requirements

*City of Huntington Beach*  
**DEC 15 2006**

**The comments below are provided for the site plan received and dated November 9, 2006.**

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED  
PRIOR TO ISSUANCE OF A GRADING PERMIT:**

1. A Precise Grading Plan, prepared by a Licensed Civil Engineer, shall be submitted to the Public Works Department for review and approval. (MC 17.05/ZSO 255.04A) The following improvements shall be shown on the plan:
  - a. PCC pavement for the full-width of the 20-foot alley right-of-way along the site's southerly frontage, with a barricade of the easterly terminus consistent with City Standard Plan No. 413. The existing alley barricade at the westerly property line of the subject property shall be removed. Existing fences and landscaping encroaching into the alley right-of-way shall be removed and relocated or replaced beyond the public right-of-way limits. (ZSO 255.04.A)
  - b. The proposed driveway approach on Warner Avenue shall be constructed per City Standard Plan No. 211 with a minimum required width of 27 feet. (ZSO 230.84)
  - c. A 10-foot visibility triangle shall be provided at all driveways to Warner Avenue and the southerly alley. (ZSO 230.88)
  - d. The southerly driveway to the alley shall be a minimum width of 24-feet. (ZSO 231.18)
  - e. A new sewer lateral shall be installed connecting to the sewer main in the Warner Avenue. (ZSO 255.04D)
  - f. A new domestic water service and meter shall be installed per Water standards and sized to meet the minimum requirements set by the California Plumbing Code (CPC). The new domestic water service shall be a minimum of 2-inches. (ZSO 255.04E)
  - g. A separate irrigation water service and meter shall be installed per Water standards. The water service shall be a minimum of 1-inch in size. (ZSO 255.04E)
  - h. Separate backflow protection devices shall be installed per Water standards for domestic, irrigation, and fire water services. (Resolution 5921 and Title 17)
  - i. If fire sprinklers are required by the Fire Department for the proposed development, a separate dedicated fire service line shall be installed. (ZSO 255.04E)

- j. New public fire hydrant on Warner Avenue required by the Fire Department shall connect to the existing 8" water main located in Warner Avenue, south of the street centerline.
- k. The street light may also need to be relocated to conform to the City of Huntington Beach Standard Plan No. 211.
- 2. A Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Public Works Department for review and approval by the Public Works and Planning Departments. (ZSO 232.04)
- 3. All landscape planting, irrigation and maintenance shall comply with the City Arboricultural and Landscape Standards and Specifications. (ZSO 232.04B)
- 4. Landscaping plans should utilize native, drought-tolerant landscape materials where appropriate and feasible. (DAMP)
- 5. The Consulting Arborist (approved by the City Landscape Architect) shall review the final landscape tree planting plan and approve in writing the selection and locations proposed for new trees. The approval shall include the Arborist's name, certificate number and the Arborist's wet signature on the tree planting final plan. (Resolution 4545)
- 6. Hydrology and hydraulic analysis shall be submitted for Public Works review and approval (10, 25, and 100-year storms and back to back storms shall be analyzed). The drainage improvements shall be designed and constructed as required by the Department of Public Works to mitigate impact of increased runoff due to development, or deficient, downstream systems. Design of all necessary drainage improvements shall provide mitigation for all rainfall event frequencies up to a 100-year frequency. (ZSO 255.04)
- 7. A Project WQMP shall be submitted to the Public Works Department for review and approval and shall include the following:
  - a. Discusses regional or watershed programs (if applicable)
  - b. Addresses Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas
  - c. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP
  - d. Incorporates Treatment Control BMPs as defined in the DAMP
  - e. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs
  - f. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs
  - g. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs
  - h. Includes an Operations and Maintenance (O&M) Plan for all structural BMPs
  - i. Upon approval of the WQMP, three signed copies and an electronic copy on CD (.pdf or .doc format) shall be submitted to the Public Works Department.

8. The trash area shall be paved with an impervious surface, designed not to allow run-on from adjoining areas, designed to divert drainage from adjoining roofs and pavements diverted around the area, and screened or walled to prevent off-site transport of trash. The trash enclosure area shall be covered or roofed. Connection of trash area drains into the storm drain system is prohibited. (DAMP)
9. A soils report, prepared by a Licensed Engineer shall be submitted for reference only. (MC 17.05.150)
10. If soil remediation is required, a remediation plan shall be submitted to the Planning, Public Works and Fire Departments for review and approval in accordance with City Specifications No. 431-92 and the conditions of approval. The plan shall include methods to minimize remediation-related impacts on the surrounding properties; details on how all drainage associated with the remediation efforts shall be retained on site and no wastes or pollutants shall escape the site; and shall also identify wind barriers around remediation equipment. (MC 17.05.150/FD Spec. 431-92)
11. The applicant's grading/erosion control plan shall abide by the provisions of AQMD's Rule 403 as related to fugitive dust control. (AQMD Rule 403)
12. The name and phone number of an on-site field supervisor hired by the developer shall be submitted to the Planning and Public Works Departments. In addition, clearly visible signs shall be posted on the perimeter of the site indicating who shall be contacted for information regarding this development and any construction/grading-related concerns. This contact person shall be available immediately to address any concerns or issues raised by adjacent property owners during the construction activity. He/She will be responsible for ensuring compliance with the conditions herein, specifically, grading activities, truck routes, construction hours, noise, etc. Signs shall include the applicant's contact number, regarding grading and construction activities, and "1-800-CUTSMOG" in the event there are concerns regarding fugitive dust and compliance with AQMD Rule No. 403.
13. The applicant shall notify all property owners and tenants within 300 feet of the perimeter of the property of a tentative grading schedule at least 30 days prior to such grading.

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED  
WITH DURING GRADING OPERATIONS:**

1. The developer shall coordinate the development of a truck haul route with the Department of Public Works if the import or export of material in excess of 5000 cubic yards is required. This plan shall include the approximate number of truck trips and the proposed truck haul routes. It shall specify the hours in which transport activities can occur and methods to mitigate construction-related impacts to adjacent residents. These plans must be submitted for approval to the Department of Public Works. (MC 17.05.210)
2. Water trucks will be utilized on the site and shall be available to be used throughout the day during site grading to keep the soil damp enough to prevent dust being raised by the operations. (WE-1)
3. All haul trucks shall arrive at the site no earlier than 8:00 a.m. or leave the site no later than 5:00 p.m., and shall be limited to Monday through Friday only. (MC 17.05)

4. Wet down the areas that are to be graded or that are being graded, in the late morning and after work is completed for the day. (WE-1/MC 17.05)
5. The construction disturbance area shall be kept as small as possible. (EC1)
6. All haul trucks shall be covered or have water applied to the exposed surface prior to leaving the site to prevent dust from impacting the surrounding areas.
7. Prior to leaving the site, all haul trucks shall be washed off on-site on a gravel surface to prevent dirt and dust from leaving the site and impacting public streets.
8. Comply with appropriate sections of AQMD Rule 403, particularly to minimize fugitive dust and noise to surrounding areas. (AQMD Rule 403)
9. Wind barriers shall be installed along the perimeter of the site.
10. Remediation operations, if required, shall be performed in stages concentrating in single areas at a time to minimize the impact of fugitive dust and noise on the surrounding areas.
11. All construction materials, wastes, grading or demolition debris and stockpiles of soils, aggregates, soil amendments, etc. shall be properly covered, stored and secured to prevent transport into surface or ground waters by wind, rain, tracking, tidal erosion or dispersion. (DAMP)

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED  
PRIOR TO ISSUANCE OF A BUILDING PERMIT:**

1. A Precise Grading Permit shall be issued.
2. Traffic impact fees for non-residential developments shall be paid at a rate of \$151 per net new added daily trip. This project is forecast to generate 248 new daily trips for a total traffic impact fee of \$37,448. The rate is subject to an annual adjustment. (MC 17.65)
3. Warner Avenue is designated as a Landscape Corridor. While the existing alignment of Warner Avenue precludes construction of a median in its ultimate location, the applicant shall submit a conceptual street improvement plan for the purpose of calculating an engineer's cost estimate and posting a bond for the construction of this median at a future date. (General Plan)

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED  
PRIOR TO ISSUANCE OF AN ENCROACHMENT PERMIT:**

1. Traffic Control Plans, prepared by a Licensed Civil or Traffic Engineer, shall be prepared in accordance with the latest edition of the City of Huntington Beach Construction Traffic Control Plan Preparation Guidelines and submitted for review and approval by the Public Works Department. (Construction Traffic Control Plan Preparation Guidelines)

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED  
PRIOR TO FINAL INSPECTION OR OCCUPANCY:**

1. Complete all improvements as shown on the approved grading and landscape plans. (MC 17.05)
2. All landscape irrigation and planting installation shall be certified to be in conformance to the City approved landscape plans by the Landscape Architect of record in written form to the City Landscape Architect prior to the final landscape inspection and approval. "Smart irrigation controllers" and/or other innovative means to reduce the quantity of runoff shall be installed. (ZSO 232.04D)
3. Applicant shall provide City with CD media TIFF images (in City format) and CD (AutoCAD only) copy of complete City Approved landscape construction drawings as stamped "Permanent File Copy" prior to starting landscape work. Copies shall be given to the City Landscape Architect for permanent City record.
4. Prior to grading or building permit close-out and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
  - a. Demonstrate that all structural Best Management Practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.
  - b. Demonstrate all drainage courses, pipes, gutters, basins, etc. are clean and properly constructed.
  - c. Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
  - d. Demonstrate that an adequate number of copies of the approved Project WQMP are available for the future occupiers.

#### **INFORMATION ON SPECIFIC CODE REQUIREMENTS**

**These code requirements are provided for reference. This is not a complete list of all code requirements applicable to this project.**

1. Standard landscape code requirements apply. (ZSO 232)
2. City Arboricultural and Landscape Standards and Specifications apply. (Resolution 4545)
3. The Water Ordinance #14.52, the "Water Efficient Landscape Requirements" apply for projects with 2500 square feet of landscaping and larger. (MC 14.52)
4. All existing and new utilities shall be undergrounded. (MC 17.64)
5. All applicable Public Works fees shall be paid. Fees shall be calculated based on the currently approved rate at the time of payment unless otherwise stated. (ZSO 250.16)
6. An Encroachment Permit is required for all work within the City's right-of-way. (MC 14.36.020)

## HUNTINGTON BEACH FIRE DEPARTMENT DEVELOPMENT PLAN REVIEW

**DESCRIPTION:** New Medical/Dental Building  
**ADDRESS:** 7782 Warner  
**PLAN CHECK #:** Planning Application # 2005-0148 – Second Submittal  
**DATE:** 12-4-2006  
**PLANNER:** Rami Talleh  
**REVIEWER:** Lee Caldwell

**GRID #:** 272/3315  
**EXT #:** 1682  
**EXT #:** 5531

The items listed below indicate Huntington Beach Fire Department (HBFD) development condition of approval requirements. Compliance is required prior to building permit issuance and all applicable items must meet Huntington Beach Municipal Code (HBMC), Huntington Beach Fire Code (HBFC), and/or Uniform Building Code (UBC) standards.

### **5. PRIOR TO DEMOLITION, GRADING, SITE DEVELOPMENT, AND/OR CONSTRUCTION, THE FOLLOWING SHALL BE REQUIRED:**

1. No Fire comments this section. (FD)

### **6. THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF BUILDING PERMITS:**

1. Commercial Automatic Fire Sprinkler System required. Separate plans (three sets) shall be submitted to the Building Department for permits and Fire Department approval. The system shall provide water flow, tamper and trouble alarms, manual pull stations, interior and exterior horns and strobes, and 24-hour central station monitoring. Reference compliance with City Specification # 420 - Automatic Fire Sprinkler Systems in the plan notes. (FD)
2. Fire Department Connection (FDC) to the automatic fire sprinkler system shall be located to the front of the building within 150 feet of a properly rated fire hydrant. Portray FDC location on the site plan. (FD)
3. Fire Hydrants must be portrayed on the site plan, and be installed/ in service before combustible construction begins. Shop drawings shall be submitted to the Public Works Department and approved by the Fire Department when additional hydrants are required. Reference compliance in the plan notes. Note: See revised hydrant location. (FD)
4. Fire Extinguishers shall be installed and located in all areas to comply with Huntington Beach Fire Code standards found in City Specification #424. The minimum required dry chemical fire extinguisher size is 2A 10BC and shall be installed within 75 feet travel distance to all portions of the building. Extinguishers are required to be serviced or replaced annually. Reference compliance in the plan notes. (FD)
5. Fire Access Roads shall be provided and maintained in compliance with City Specification # 401, Minimum Standards for Fire Apparatus Access. Reference compliance with City Specification # 401 Minimum Standards for Fire Apparatus Access in the plan notes. Note: Portrayed turn does NOT meet seventeen foot inner turn radius. (FD)

6. Fire Lanes, as determined by the Fire Department, shall be posted, marked, and maintained per City Specification #415, Fire Lanes Signage and Markings on Private, Residential, Commercial and Industrial Properties. The site plan shall clearly identify all red fire lane curbs, both in location and length of run. The location of fire lane signs shall be depicted. Reference compliance with City Specification # 415 - Fire Lanes Signage and Markings on Private, Residential, Commercial and Industrial Properties in the plan notes. (FD)
7. KNOX® Fire Department Access Key Box shall be provided. Main secured building entry shall utilize a KNOX® Fire Department Access Key Box, installed and in compliance with City Specification # 403, Fire Access for Pedestrian or Vehicular Security Gates & Buildings.(FD)
8. Address Numbers shall be installed to comply with City Specification #428, Premise Identification. Number sets are required on front and rear of the structure. Reference compliance with City Specification #428, Premise Identification in the plan notes. (FD)
9. GIS Mapping Information shall be provided to the Fire Department in compliance with GIS Department CAD Submittal Guideline requirements. Final site plot plan shall be submitted in digital format via CD rom. (FD)
10. All Fire Department requirements shall be noted on the Building Department plans. (FD)

**7. THE STRUCTURE(S) CANNOT BE OCCUPIED, THE FINAL BUILDING PERMIT(S) CANNOT BE APPROVED, AND UTILITIES CANNOT BE RELEASED UNTIL THE FOLLOWING HAS BEEN COMPLETED:**

1. Commercial Automatic Fire Sprinkler System in-service per City Specification # 420 - Automatic Fire Sprinkler Systems. (FD)
2. Fire Access Roads shall be installed and maintained in compliance with City Specification # 401, Minimum Standards for Fire Apparatus Access. (FD)
3. Fire Lanes posted, marked, and maintained per City Specification #415, Fire Lanes Signage and Markings on Private, Residential, Commercial and Industrial Properties. (FD)
4. Fire Sprinkler System Controls access provided, utilizing a KNOX® Fire Department Access Key Box. (FD)
5. Fire Extinguishers shall be installed and located in all areas to comply with Huntington Beach Fire Code standards found in City Specification #424. (FD)
6. Address Numbers installed to comply with City Specification #428, Premise Identification. Number sets are required on front and rear of the structure. (FD)
7. GIS Mapping Information provided to the Fire Department in compliance with GIS Department CAD Submittal Guideline requirements. (FD)

**THE FOLLOWING CONDITIONS SHALL BE MAINTAINED DURING CONSTRUCTION:**

1. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with City Specification #426, Fire Safety Requirements for Construction Sites. (FD)

**OTHER:**

1. Discovery of soil contamination or underground pipelines, etc., must be reported to the Fire Department immediately and the approved work plan modified accordingly in compliance with City Specification #431-92 Soil Clean-Up Standards. (FD)
2. Outside City Consultants. The Fire Department review of this project and subsequent plans may require the use of City consultants. The Huntington Beach City Council approved fee schedule allows the Fire Department to recover consultant fees from the applicant, developer or other responsible party. (FD)

---

Fire Department City Specifications may be obtained at:

Huntington Beach Fire Department Administrative Office  
5<sup>th</sup> floor of City Hall  
2000 Main Street  
Huntington Beach, CA 92648  
(714) 536-5411

or through the City's website at [www.surfcity-hb.org](http://www.surfcity-hb.org)

If you have any questions, please contact the Fire Prevention Division at (714) 536-5411.

SIGNED: L. CAUDWELL

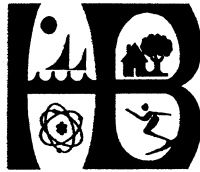
DATE: 12-4-2006

S:\Prevention\1-Development\CUP's\Warner 7782 New Medical Building PA# 2005-0148 Second Submittal.doc

**ATTACHMENT NO. 3.12**







HUNTINGTON BEACH

# CITY OF HUNTINGTON BEACH

## INTER-DEPARTMENT COMMUNICATION

---

<b>From:</b>	Eric Haghani	<b>Extension:</b>	1589
<b>To:</b>	Rami Talleh	<b>Dated:</b>	10/11/05
<b>Project Location:</b>	7792 Warner Ave		
<b>Comments for:</b>	Two 2-story buildings for medical offices		
<b>Petition:</b>	CUP 05-29	<b>File No.:</b>	2005-0148

---

The following are comments to the file (petition) identified above. This list is not a plan check correction list. General information is provided to help facilitate the development by giving you up front information on building code issues, City policies, and other codes or laws as they apply to your project. Please review the comments below before you submit for plan check. Allow 15 working days for first corrections.

If you incorporated the information below, you must next submit for plan check of structural and building code requirements. You may obtain all required forms and information for plan check review and permit applications on the 3<sup>rd</sup> floor of City Hall.

M/E/P plan checking is a separate plan check process.

The approval of plans and specifications does not permit the violation of any section of the Building Code, or other local ordinance or state law.

Please include the following issues in the design of your project to reduce plan check corrections and improve turn around time.

**Note to Planner: Please remind applicant to attach a copy of this list to the Plan Check Submittal Documents to help expedite plan check response and reduce corrections.**

### **I. Special Conditions:**

The following items need to be made apart of the Conditions of Approval for this project for plan check submittal documents:

- *A corrosion report must be prepared by a qualified person who will determine the suitability of buried pipe and recommend a method to protect buried pipe when corrosive soil is encountered. Reproduce the recommendations of the report on the plans.*

- *A copy of the approved "Grading Plan" by Panning and Public Works must be attached to the approved sets of construction plans prior to issuance of building permits.*

## **II. Code Issues:**

1. Plans are incomplete.
2. Plan submittal documents must include "Conditions of Approval".
3. Certificate of Occupancy required for this project.
4. Project to comply with the 2001 CBC, CEC, CMC, CPC and the HBMC.
5. Contact Fire Department for possible Methane Barrier requirements.
6. Plans must be prepared and stamped and wet signed by a California licensed Architect and Engineer.
7. The **grading plan** shall be reviewed and approved by the architect for all site accessibilities. A statement, by the architect, shall be put on the grading plans stating that the plans have been reviewed and approved for all site accessibilities.
8. The minimum modified yard provided shall not impacted any new or existing building for:
  - 8.1. Exterior wall and opening protection requirements per CBC Section 503
  - 8.2. Eaves and projections per CBC Sections 503.2 and 705
  - 8.3. Light and ventilation requirements per CBC Section 1203
  - 8.4. Allowable area increase per CBC Section 505
  - 8.5. Parapet requirements per CBC Section 709.4
  - 8.6. Exiting requirements per CBC Chapter 10
9. Provide Building Code Analysis on the plans (Title Sheet) to show compliance with California Building Code ©, 2001 edition for:
  - 9.1. Determine the OCCUPANCY CLASSIFICATION: Compute the floor area and occupant load of the buildings. Determine the occupancy group for each use. See Chapter 3.
  - 9.2. Determine the ALLOWABLE FLOOR AREA: See Chapter 5.
  - 9.3. Determine the TYPE OF CONSTRUCTION: See Chapter 6.
  - 9.4. Determine LOCATION ON PROPERTY: See Chapters 5 and 6 and Table 5A.
  - 9.5. Determine HEIGHT AND NUMBER OF STORIES: See Section 209 and 220. See also Table 5B and Section 506.

- 9.6. Analysis for meeting the setback requirements by California Building Code © Section 1633.2.11 for setback distance requirements to property line walls. Show provided setback distance meets or exceeds required minimum setback.
10. Provide on the plans required wall and opening protection and fire resistance of wall and parapet due to location on property. See California Building Code © Section 503 and Table 5-A.
11. Site plans must show final surface drainage elevations and finish floor elevation, building address, distance to property lines, distance between building on the same property, easements, all required disabled access features and signage, etc.
12. Your plans need to show building address on front elevation view.
13. Provide the following notes on the plans:
- 13.1. If the work is for shell only, change title to show *"Shell Only"* and provide a note on plans *"Work is a shell only."*
- 13.2. *"Exits may cause modification to building shell and the owner will be responsible for any structural alterations."*
- 13.3. *"Interior improvement designers must refer to original plans to comply with original assumptions of the building shell."*
- 13.4. *"Mezzanine floors must be supported by a foundation system."*
- 13.5. *"No parked vehicles within the building."*
- 13.6. *"Sprinkling will be required when the total area exceeds 5000 SF."*
- 13.7. *"This project must comply with Huntington Beach Security Ordinance Code."*
- 13.8. *"All new gates and fences will require separate building permits and when not constructed per city standard drawings an engineering design and construction drawings will be provided for review."*
- 13.9. *"Signs are under separate permit"*.
14. Building must not be located over utility easements.
15. This facility needs to provide a bathroom facility meeting the Disabled Access Standards of the State Building Code ©, 2001 edition.
16. Provide a fully dimensioned floor plan showing the size and use of all rooms or areas within the space being improved, modified, or altered (CBC Sec. 106.3.1 & 106.3.3).
17. Provide complete interior partition wall details. Include the gauge, ICBO approval numbers (for metal frame partitions), and all top and bottom attachment details.
18. Please clarify the use of the area in the tower. Provide a stairway accessing this area since it does not meet the exception in CBC Section 1003.3.3.1.
19. Means of Egress:

- 19.1. Provide a clear and dimensioned Means of Egress system that provides a continuous, unobstructed exit from any occupied point in a building to a public way [1001.1].
- 19.2. Provide an occupant load analysis on the plans and provide an exit plan.
- 19.3. Provide exit signs readily visible to clearly indicate the direction of egress travel. Exit signs shall be properly illuminated [1003.2.8.2, 1003.2.8.4].
- 19.4. The ladder cannot be used as a means of egress from the tower. Please revise to a stair [1003.3.3].
20. This facility needs to meet the disabled access requirements of the State Building Code © for access.
21. Structural calculations shall be prepared to comply with the California Building Code ©, 2001 edition.
  - 21.1. Assume  $N_a = 1.3$  and  $N_v = 1.6$  or compute lower value for distance from fault.
  - 21.2. Assume "Roe" factor is 1.5 or compute lower factor, but not less than 1.
  - 21.3. Calculations must show load combinations used by CBC Sections 1612.2, 1612.3, and 1612.4.
  - 21.4. Earthquake force must be  $E = \rho E_h + E_v$  (30-1) and  $E_m = \Omega_o E_h$  (30-2) (CBC Section 1630.1.1).
22. Calculations must include the following special loads:
  - 22.1. Seismic dead load,  $W$ , is the total dead load and applicable portions of other loads listed below
  - 22.2. In storage and warehouse occupancies, a minimum of 25 percent of the floor live load shall be applicable.
  - 22.3. Where a partition load is used in the floor design, a load of not less than 10 psf shall be included.
  - 22.4. Total weight of permanent equipment shall be included.
23. Roof or floor mounted equipment weighing 400 pounds or more must be shown on the structural framing plans and must be include in the structural analysis and provide a design for anchorage to the building frame.
24. Submitted documents must be complete and deferred submittals are not acceptable. To avoid delay in plan check, submit calculations and drawings at first submittal.
  - 24.1. "Roof Truss" drawings and calculations when used must be submitted with plan check documents and must not be a deferred item.
  - 24.2. Stair and landing structural framing and design of railings and handrails must be included in the design drawings of the plans and must not be a deferred item.


- 24.3. Storefront style framing or window walls must be included with the structural drawings at plan check submittal and must not be a deferred item.
- 25. Soils report required for this site and must include:
  - 25.1. Liquefaction analysis and recommendations
  - 25.2. Show distance to fault(s) and classify fault type and soil type used by the California Building Code © for seismic design
  - 25.3. Report for protection of buried pipe due to corrosion. Recommendations must provide specific method to install protective materials or devices



## **CITY OF HUNTINGTON BEACH**

### **PLANNING COMMISSION COMMUNICATION**

**TO:** Chair and Planning Commission

**FROM:** Scott Hess, Acting Director of Planning 

**SUBJECT:** **PLANNING COMMISSION RULES, PROTOCOLS AND BYLAWS**

**DATE:** January 23, 2007

---

Attached please find the current Planning Commission Rules, Protocols and Bylaws approved by the Planning Commission on January 10, 2006. The Rules and Bylaws were subsequently approved by the City Council on May 15, 2006. These items are being forwarded for your review at the January 23, 2007, study session.

**ATTACHMENT:**

- 1) Planning Commission Rules, Protocols and Bylaws (dated January 10, 2006)

## **RULES**

### **PLANNING COMMISSION of the CITY OF HUNTINGTON BEACH (January 10, 2006)**

#### **DURING STUDY SESSIONS AND PUBLIC HEARINGS:**

1. Commissioners shall not speak until recognized by the Chair or as provided in Robert's Rules of Order.
2. Commissioners shall not debate members of the public who are providing testimony.
3. Neither the Chair nor any Commissioner shall permit members of the public to engage in a dialogue with Commissioners, staff or other persons in the audience during the meeting.
4. Commissioners shall not engage in discussion with the public or applicants during the public hearing portion of the meeting or during breaks in the meeting.
5. Commissioners shall not indicate or communicate electronically, or by word or action how they intend to vote prior to a meeting and during study sessions and public hearings. Commissioners shall wait until all the testimony has been heard and the public hearing is closed.
6. Commissioners shall disclose any communications with the applicant or other interested parties, or any site visit performed, or other relevant evidence, prior to voting on the item.
7. Commissioners shall give a brief reason when making a motion for approval, denial or continuance.
8. Commissioners shall state the reason for any abstention.
9. When abstaining from an item due to a conflict of interest, Commissioners shall leave the room until the Commission concludes that item, except as otherwise provided for in state law. When abstaining from an item due to potential bias, Commissioners shall leave the dais until the Commission concludes that item.
10. Commissioners shall allow the staff to state their professional opinions even if they clash with those of the Commission.



11. Commissioner comments deemed out of order are cause for the Chair to re-take the floor subject to Robert's Rules of Order.
12. At any public meeting of the Planning Commission, Commissioners shall not characterize any individual or entity's position on any issue unless the individual or entity's position is contained in writing, or without first asking the individual or entity, at that meeting, their position on the subject in question.

#### **WORKING WITH STAFF:**

13. Commissioners should discuss any concern relative to the agenda or procedure with the Chair. Any concern regarding staff reports, presentations, public information, staff performance, etc., should be directed to the Planning Manager and/or Planning Director.
14. Commissioners should meet or contact Planning staff prior to the meeting in order to have their questions or concerns addressed or resolved on any agenda item.
15. Commissioners should call and schedule meetings with staff in advance, as staff may not be immediately available to meet with a Commissioner.
16. Commissioners shall ask the project planner questions (information only) about their project. When seeking services (research, exhibits, revised findings and conditions, etc.) from anyone in the Planning Department, Commissioners should work only through the Planning Manager or Principal Planner.

#### **OTHER:**

17. When speaking/presenting before the City Council, Planning Commission, or other legislative bodies at a public meeting, Commissioners shall clearly and affirmatively indicate that they are not speaking on behalf of the Planning Commission, or in the capacity of a Planning Commissioner, unless authorized to do so, and shall indicate their representative capacity at the beginning of the statement (e.g., a home owner or business owner, or as a private citizen).
18. Commissioners may meet with an applicant solely to gather information, and shall not negotiate terms and conditions of approval.
19. While Commissioners may encourage the general public to appear at any Planning Commission hearing or meeting to express their views, Commissioners shall not, directly or indirectly, encourage any members of the public to attend any meeting to advocate a particular position, imagined or real, on any agenda item to be voted on by the Planning Commission.

20. Commissioners shall submit all written materials related to agenda items in time for inclusion in the staff report for the meeting that the items will be heard. These materials shall be included in the staff report that is distributed to the Commissioners, City staff, and the public for review. Any written materials that are not submitted by a Commissioner in time for inclusion in the staff report are deemed a late communication. The Commission shall consider a late communication from a Commissioner in the same manner as any other late communication received for that meeting, or may authorize by a majority vote to continue the agenda item to a future meeting in order to allow time to examine the late communications.

**COMMISSIONER REQUEST AGENDA ITEMS:**

21. The process for Commissioners' request to place an item on the Planning Commission agenda for consideration shall be:
- a. Item should be of general interest and not a project already in process by staff.
  - b. The request shall be communicated in writing or email to the Principal Planner and Planning Commission Chair with supplemental reports and/or information prepared by the Commissioner (not staff).
  - c. The request shall be submitted at least one (1) week in advance of the Planning Commission meeting at which it is to be considered.
  - d. Item shall be added to the appropriate meeting agenda under **PLANNING COMMISSION REQUEST ITEMS**.
  - e. At the meeting, the Commissioner making such request shall make a presentation of the item.
  - f. The Planning Commission, upon motion and by majority vote, may accept or deny the item, or may continue the item for further consideration at a subsequent meeting and direct staff accordingly.
  - g. If a continued item requires more than four (4) hours of staff time, a memo from the Commission is prepared and submitted to the City Administrator and/or the City Council for approval and direction.
  - h. If a continued item requires four (4) hours or less of staff time, or if an item requires more than four (4) hours of staff time and is approved by the City Administrator or the City Council, the item shall be placed on the Planning Department Work Program and prioritized as staff resources permit.
  - i. If item does not receive a majority vote of the Planning Commission, consideration of the item (and any staff time) shall be deemed denied.

**ADOPTION:**

APPROVED AND ADOPTED ON THE 15<sup>TH</sup> DAY OF MAY, 2006, as the Rules of the Planning Commission of the City of Huntington Beach, by a unanimous vote of 7-0-0.

ATTEST:

  
Howard Zelefsky, Secretary

  
Robert Dingwall, Chair  
Planning Commission

## **PROTOCOLS**

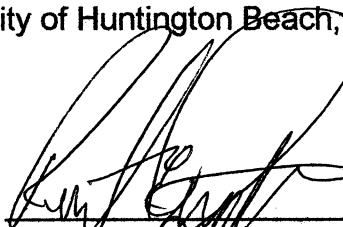
### **PLANNING COMMISSION of the CITY OF HUNTINGTON BEACH (Approved January 10, 2006)**

1. The Chair and Commissioners shall conduct meetings in a professional manner and follow Planning Commission Rules and Protocols.
2. Commissioners shall treat the public, staff, the Chair, and fellow Commissioners with respect and common courtesies.
3. Commissioners shall treat "end of agenda" applicants and items as seriously as "beginning agenda" applicants and items.
4. Each Commissioner is solely responsible and accountable for their actions, including their behavior, statements, and decisions. No Commissioner shall blame others for their actions, including City staff, fellow Commissioners, elected officials, or members of the public.
5. Commissioners and staff planners should be working on a basis of confidence, goodwill, and trust.\*
6. Commissioners shall make any criticism of staff members in private; compliments may be public. Commissioners shall not personalize disagreements or criticism towards staff (e.g., "you"), but be general (e.g., "staff").

APPROVED AND ADOPTED ON THE 10TH DAY OF JANUARY, 2006, as the Protocols of the Planning Commission of the City of Huntington Beach, by a vote of 7-0.

ATTEST:

  
Howard Zelefsky, Secretary

  
Robert Dingwall, Chair  
Planning Commission

\*Excerpted from The Job of the Planning Commissioner, by Albert Solnit.

# **BYLAWS**

## **PLANNING COMMISSION *of the* CITY OF HUNTINGTON BEACH (January 10, 2006)**

Section 1. **TITLE AND MEMBERSHIP.** The official title of this Commission shall be "Planning Commission of the City of Huntington Beach", which may also be referred to as the "Huntington Beach Planning Commission", "City Planning Commission" or "Planning Commission." The Planning Commission shall consist of seven (7) members, each appointed by a member of the City Council.

Section 2. **DUTIES OF COMMISSION.** The duties of the Planning Commission shall be as provided in the California Government Code, as provided by ordinance of the City of Huntington Beach, and as may be delegated to it by the City Council.

Section 3. **OFFICERS.** The officers of the Planning Commission shall be a Chair and a Vice-Chair who shall be elected by majority vote of the Commission and shall hold office for a period of one year or until their successors are elected. An election of officers shall be held as soon as practical following the first day of January of every year. The Chair and Vice-Chair shall be elected based on seniority, as follows:

- a. The Commissioner with the most seniority who has not served as Chair, or the Commissioner who served as Chair longest ago if all Commissioners have served as Chair, shall be elected Chair.

- b. The Commissioner with the most seniority who has not served as Vice-Chair, or the Commissioner who served as Vice-Chair longest ago if all Commissioners have served as Vice-Chair, shall be elected Vice-Chair.
- c. Seniority between Commissioners shall be determined by the chronological order of the uninterrupted service date of first attendance of each as a sworn Commissioner at a Planning Commission meeting. If seniority between two or more Commissioners is equal based on the first determination, then seniority between the subject Commissioners shall be based on the highest or higher vote counts of the Commissioners' appointing City Council Members.
- d. Any Commissioner may decline nomination as Chair or Vice-Chair. Such declination shall not alter the selection process for Chair or Vice-Chair among the remaining Commissioners.

The elected Chair and Vice-Chair shall assume office immediately following said election. In the event of a vacancy of the Chair, the Vice-Chair shall serve the balance of the unexpired term of the Chair. In the event of a vacancy of the Vice-Chair, a member of the Commission shall be elected, in accordance with the aforementioned seniority determination, to serve the balance of the unexpired term of the Vice-Chair. No person shall occupy the office of Chair or Vice-Chair for more than two consecutive terms. The Planning Director of the City shall serve as Secretary of the Commission.

Section 4. DUTIES OF CHAIR AND VICE-CHAIR. The Chair shall preside at the meetings of the Commission and in case of his/her absence or inability to act, the Vice-Chair shall act, and in the absence of both the Chair and Vice-Chair, the Commission shall appoint a Chair pro tempore who shall have all the powers and duties of the Chair and shall serve only

until such time as the Chair or Vice-Chair returns and is able to act. The Chair shall have the power to make or second any motion, to present and discuss any matters, and vote, notwithstanding the fact that they are the presiding officer of the Commission.

The Chair, or his/her designee shall be available to meet with the Mayor, or his/her designee at least quarterly to discuss issues common to the City Council and Planning Commission.

When a Planning Commission item has been appealed to the City Council, or when a Planning Commission decision on an item before the City Council differs from staff's recommendation, the Chair or his/her designee shall attend City Council meetings and present the majority position of the Planning Commission on the pertinent item. When the Chair is not a member of the voting majority on the item before the Council, the Chair shall appoint a member of such Commission majority as the Commission's representative.

Section 5. DUTIES OF THE SECRETARY. It shall be the duty of the Secretary to keep accurate and permanent records of the acts and proceedings of the Commission, and such records shall be retained and have the same status as other records of the city; to schedule matters for hearing and consideration by the Commission; to provide timely notice of meetings, agenda and actions as required by code, ordinance, statute or the Commission; and to perform such other duties required by code, ordinance, statute or the Commission. In case of absence of the Secretary, an Acting Secretary, appointed by the Secretary, shall act, and in the absence of both Secretary and Acting Secretary, the Chair shall appoint a Secretary pro tempore who for such period shall have all the powers and duties of the Secretary and serve only until such time as the Secretary or Acting Secretary returns and is able to act.

Section 6. ADVISORS. The Chair, or a majority of the Commission, may request the attendance at Planning Commission meetings of any officer or employee of the City to assist the Commission in its deliberations in an advisory capacity.

Section 7. MEETINGS.

- (a) Open Meetings. All meetings of the Commission shall be open and public.
- (b) Regular Meetings. Regular meetings shall be held on the second and fourth Tuesday of each month at the Huntington Beach Civic Center commencing at 5:15 PM or as soon thereafter as the meeting may be called to order. Public Notice and an agenda of meeting shall be given as required by law. In the event the date for a regular meeting falls on a legal holiday, such meeting date shall be deemed to be the day following such holiday. In the event the date of a regular meeting follows the date of a regular City Council meeting and such Council meeting falls on a legal holiday, thereby requiring such Council meeting to be postponed to the following day, the date of the regular Commission meeting shall be deemed to be the day after the postponed Council meeting is held.
- (c) Special Meeting. A special meeting may be called at any time by the Chair, or by a majority of the members, with public notice and an agenda of meeting as required by law.
- (d) Public Hearings. The Commission shall not begin any public hearing item after 11:00 PM unless the Commission, by majority vote, so agrees.
- (e) Adjournment. Any meeting may be adjourned to a date certain which may be specified in the order of adjournment. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within the twenty-four (24) hours after the time of the adjournment.



Section 8. ATTENDANCE. Regular attendance at meetings of the Planning Commission is required of all members to enable the Commission to discharge the duties imposed upon it by law. In the event a member is absent from two or more consecutive regular meetings, without securing the consent of the Chair, such consent not to be unreasonably withheld, and upon majority vote, the Commission shall request the City Council appointing member to remove the Commissioner and appoint a new member to fill the unexpired term.

Section 9. QUORUM. At any meeting of the Planning Commission, a majority of said Commission shall constitute a quorum for the transaction of business. In the event there is no quorum at a Commission meeting, the Secretary shall adjourn such meeting or shall adjourn to a date certain.

Section 10. ORDER OF BUSINESS. The order of business for a regular or special meeting shall be:

- (a) Call to order by the Chair.
- (b) Consideration of matters on the agenda.
- (c) Any other business which may properly come before the Commission.

Section 11. PARLIAMENTARY PROCEDURE. The parliamentary rules contained in the current revision of Robert's Rules of Order, except as otherwise noted in these bylaws, shall, in general, govern the proceedings of this Commission. The Chair shall decide all questions of order, subject to appeal by the Commission, and all appeals shall be decided by a majority vote of the members present. The Chair shall vote on all matters coming before the Commission whether there is a tie vote or not. No member may vote at a meeting by proxy, or by any method

other than being personally present and casting his/her vote. Every member present shall vote on all questions. The result of any vote shall be audibly announced by the Secretary and recorded in the minutes as the vote of the Commission. Any member present who disqualifies himself/herself for any reason from voting upon any question shall state his/her reasons for so doing. If a member disqualifies himself/herself or abstains because of the requirements of the Political Reform Act, they shall so state. The Secretary shall enter any disqualification and the grounds therefore in the minutes of the meeting. A member who has disqualified himself/herself shall not be required to vote upon the question on which they have disqualified himself/herself, and his/her failure to vote shall be recorded as an abstention. An affirmative vote of a majority of the members present and voting shall be required for the passage of any matter before the Commission, except as otherwise noted in these bylaws.

Section 12. CHANGES IN BYLAWS. An affirmative vote of four (4) members of the Planning Commission shall be required to amend these bylaws. Copies of a proposed amendment shall be given to each member at a regular meeting, and shall be mailed to each member at least five (5) days prior to a meeting, and may then be voted upon at the next regular meeting.

Section 13. ADOPTION. APPROVED AND ADOPTED ON THE 15TH DAY OF MAY, 2006, as an amendment to the Bylaws of the Planning Commission of the City of Huntington Beach, adopted May 3, 1994, by a unanimous vote of 7-0-0.

ATTEST:

  
Howard Zelefsky, Secretary


  
Robert Dingwall, Chair  
Planning Commission



# **CITY OF HUNTINGTON BEACH**

## **PLANNING COMMISSION COMMUNICATION**

**TO:** Chair and Planning Commission

**FROM:** Scott Hess, Acting Director of Planning 

**SUBJECT:** **PLANNING COMMISSION COMMITTEE ASSIGNMENTS**

**DATE:** January 23, 2007

---

Attached please find a list of the current Planning Commission committee assignments. This item is being forwarded for your review at the January 23, 2007, study session.

**ATTACHMENT:**

- 1) Planning Commission Committee Assignments 2006

**PLANNING COMMISSION COMMITTEES/  
STAFF LIAISON LIST  
(2006)**

STAFF LIAISON	ADVISORY BODY	PC MEMBER/ LIAISON	PC ALTERNATE
Rosemary Medel 374-1684	Design Review Board** 2nd. Thursday (3:30 PM)	Livengood (Member)	Vacant
Ricky Ramos 536-5624	Environmental Board** 1st. Thursday evenings (6:30 PM)	Shier-Burnett (Liaison)	Dwyer
Scott Hess 536-5554 Pat Dapkus 536-5579	School District Issues Council Subcommittee* 4 <sup>th</sup> Fri. Qrtly (12:00 PM) Rm B-8	Scandura (Liaison)	Horgan
Scott Hess 536-5554	Subdivision Committee** (Three Members) As needed	Dwyer Vacant (Members)	Shier-Burnett
Scott Hess 536-5554	Green Buildings Planning Commission Subcommittee	Horgan Shier-Burnett Livengood (Members)	

\*Council directed

\*\*Code required

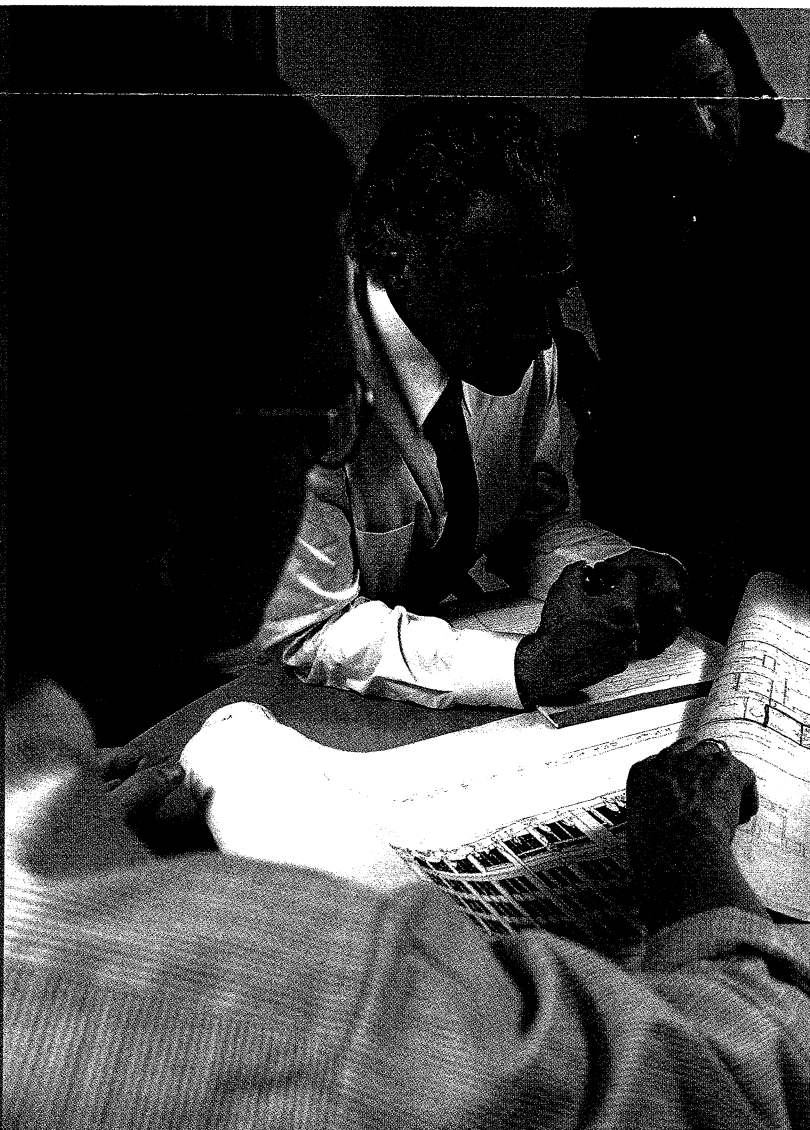


League of California Cities

# 2007 Planners Institute & Mini Expo

**Wednesday, March 21 – Friday, March 23**

**Town and Country Resort & Convention Center  
San Diego**



SS B-4

# 2007 Planners Institute & Mini Expo

## General Information

### Registration/Events

The full registration fee includes program materials, two breakfasts, one lunch, and one theme dinner.

### Guest/Spouses

To attend the meal functions, guest or spouse attending the 2007 Planners Institute with a registered attendee must purchase a guest registration at \$160 to receive a badge for all meal functions. The guest badge is required. Individual meal tickets will be available onsite. For information on local events within the city, please contact the hotel concierge desk.

### Airlines

We invite you to visit [www.cacities.org/travel](http://www.cacities.org/travel) for the new Enhanced Local Government Airfare Program.

### Location

Town and Country Hotel  
500 Hotel Circle North  
San Diego, CA 92108  
(619) 291-7131

### CityBooks

Register online and receive a \$20 CityBooks coupon onsite.

### Driving Directions

#### Interstate 5 North or South

Exit onto Interstate 8 East (El Centro) and exit 2nd Hotel Circle exit, turn left continuing under the overpass.

#### Interstate 805 North or South

Interstate 15 North or South & Hwy 163. Exit onto Interstate 8 West (Beaches), exit Hotel Circle and turn right.

#### Interstate 8 East (El Centro)

Exit 2nd Hotel Circle Exit and turn left going under the overpass.

#### Interstate 8 West (Beaches)

Exit Hotel Circle and turn right.

### Transportation

#### Super Shuttle

from the airport \$12

#### Taxi

from the airport \$24

### Parking

Hotel guests: \$12 per day

Local guests: \$14 per day

## You Will Want to Attend if You Are a...

- Planning Commissioner
- Commissioner for Transportation, Historic Preservation, or Architectural Review
- Planning or Community Development Director
- Land Use or Transportation Planner
- Mayor or Council Member or City Manager wanting to keep abreast of planning issues

## You Will Benefit from this Program by...

- Attending briefings and seminars on a wide array of current planning topics
- Networking with other commissioners and professionals to share ideas and solutions to make your job easier
- Exploring the mini expo to learn about the latest products and services available to cities

# Program

Please note: session times, titles, and topics are subject to change.

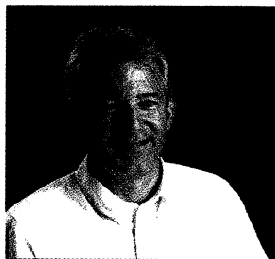
## Wednesday, March 21

### Opening General Session

1 – 2 p.m.

#### Community Makeovers

A journalist, urban planner, researcher, pundit, and best-selling author, and now a practicing elected official as a member of the Ventura City Council, William Fulton has played a key role in reshaping the way urban and metropolitan growth issues are debated in the post-suburban era. Fulton is regarded as one of the nation's leading commentators on urban planning, metropolitan growth, and economic development. Although much of his professional experience has taken place in the fast-growing metropolitan regions of California and the West, Fulton also has a national perspective and often draws on his own personal experiences growing up in "the thinning metropolises" of Upstate New York.



**Speaker:** Bill Fulton, Council Member, Ventura  
President, Solimar Research Group, Ventura

### Concurrent Sessions

2:30 – 3:30 p.m.

#### Finance 101

Learn the essentials of California city revenues and spending in this session designed for community planners. Explore trends in California local government finance, potential impacts from the state budget, and critical issues and proposals for fiscal reform.

**Speaker:** Michael Coleman, Fiscal Policy Advisor to the  
League of California Cities,  
CaliforniaCityFinance.com, Davis

#### Conditions of Approvals and Findings

Discuss the mechanics of how to review a project, identify impacts, craft conditions to mitigate, and draft findings to support your conclusions. Every project approval or condition can be the subject of a legal challenge. If done correctly the first time, litigation can be avoided and confidence is built in the commission's final decision.

**Speakers:** Jolie Houston, Partner, Berliner, Cohen, San Jose  
Steve Emslie  
Director of Community Development, Palo Alto  
Curtis Williams, Assistant Director of Planning  
and Community Development, Palo Alto

#### Legislative Updates

What new laws do you need to know about and what is the Legislature up to this year? Hear the latest breaking news (and rumors) about what the Legislature has in store for housing, land use, and planning laws.

**Speaker:** Bill Higgins, Legislative Representative  
League of California Cities, Sacramento

#### It's Always About Infrastructure

Infrastructure: it is the thing that makes your city a city. When it works well, nobody gives it a thought. But when it doesn't, the issue dominates the agenda. This session will examine two fundamental aspects of infrastructure planning: setting appropriate performance standards and developing the funding tools necessary to assure that those standards are met.

**Speaker:** Bob Spencer, MuniFinancial, Oakland

### Mobile Workshop

2 – 4 p.m.

Sign-up sheets will be available for the Mobile Workshops onsite at the League registration desk. Space for each workshop will be limited and members will be given admission on a first-come, first-serve basis. If you are interested in the workshops, we advise you to sign-up upon arrival. Limit one mobile tour per attendee.

#### Hip Trip Mobile Workshop (Gaslamp District, San Diego)

Originally intended to be the main business district, the Gaslamp Quarter of San Diego had suffered through decades of decay. Once home to sailor bars, pawn shops, racy bookstores and flop houses, the Gaslamp is now the hip spot for nightlife, fine dining, shopping and understanding San Diego's bayfront history. Join Michael J. Stepner, the former city architect of San Diego and one of the visionaries that brought life into the neglected district. He will explain both the history and the planning challenges that created the vibrant revitalization.

#### Speaker and Tour Leader:

Michael J. Stepner, FAIA, FAICP, FIUD  
Principal, Stepner Design Group, San Diego

### Concurrent Sessions

3:45 – 5 p.m.

#### CEQA 101

This session is designed to provide a basic overview of the California Environmental Quality Act (CEQA) for new planning commissioners and staff. Gain background information on the law's intent and use in making informed judgments about project decisions in your jurisdiction. Also learn the primary components and terminology of the law and its applications levels.

**Moderator:** Mahdi Aluzri, AICP, Community Development  
Director, Beverly Hills

**Speaker:** Dr. Susan O'Carroll, Pareto Planning and  
Environmental Services, Los Angeles

## Polish Your Public Performance: How to Get the Right Message Across

How many times do you want to say something pointed at a planning commissioner and the right words just won't come out? How often do you need to elicit the pertinent information from staff or applicants but can't seem to get your message across? When you speak with boards and commissions, do you wish to improve your communication skills? Join this interactive workshop to learn the best delivery, the best stance, and the best tools for positive, motivational and strong communication.

**Speaker:** Jenni Prisk, Prisk Communication, San Diego

## General Plan

When was the last time you took a holistic view of your general plan? Would you know what the difference is between a good plan and an average plan? How do you know when a plan is working? These questions, and many more, will be covered with the goal of providing you with the tools you need to analyze your own community plan.

**Speaker:** Elwood C. (Woodie) Tescher, AICP  
Director of Planning and Urban Development  
EIP Associates, Los Angeles

## Eminent Domain and Redevelopment

The issues of eminent domain and redevelopment continue to loom large in the political arena. Gain important perspectives on these issues and hear an update on late breaking legal and legislative news in this area.

**Speakers:** TBA

## Inclusionary Housing and Density Bonuses

Both these issues and laws continue to play important roles in local housing elements. The problem is that the Density Bonus Law is poorly drafted and difficult to implement. Inclusionary housing continues to be an important source of affordable housing with more than 160 ordinances adopted statewide.

How can cities apply their inclusionary ordinances in light of the Density Bonus Law? And, to what extent do these issues overlap with redevelopment requirements?

**Speaker:** Barb Kautz, Goldfarb and Lipman

## Theme Reception/ Strolling Dinner

5:30 – 8:30 p.m.

You've had a full day and now it's time to have some fun!

Join your colleagues at this San Diego influenced buffet dinner in the Town and Country rose garden. Enjoy live music and come prepared for karaoke.

*Guest/spouse fee for the entire meeting is \$160.00. Single event/meal tickets for the dinner are available for \$75.00. Badges must be purchased in advance and will not be available at the door. Please refer to the Registration form for more information.*

# Thursday, March 22

## Full Breakfast Buffet Networking Breakfast Session

7:30 – 8:30 a.m.

## There Are No Stupid Questions

Take advantage of this opportunity to share ideas, experiences, frustrations and questions about planning and commission practice with your peers. This informal gathering will allow you to meet with other planners to discuss issues of shared interest in an open forum.

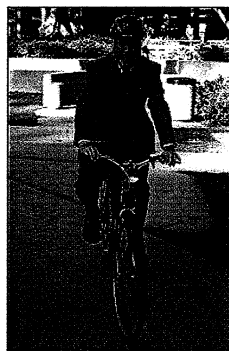
**Facilitators:** Sharon Fierro  
Community Development Director, Campbell

Lynn Osborn, Program Manager  
511 Contra Costa Program  
Planning Commissioner, Danville

## General Session

9 – 10 a.m.

## High Cost of Free Parking



If the past trends in vehicle ownership continue, the world will have more than 4.7 billion cars well before the end of the twenty-first century. The average car spends 95 percent of its life parked. Technology alone is unlikely to solve the parking problem.

UCLA urban planning professor Donald Shoup says we actually have too many parking spaces in this country, especially the free (that is, fully subsidized) kind. He argues that we pay the price for free parking in many different ways. Join this thought-provoking session to learn what we give up to keep our cars.

**Speaker:** Donald Shoup, Department of Urban Planning  
University of California, Los Angeles

## Concurrent Sessions

10:30 – 11:45 a.m.

## High Cost of Free Parking Follow-up

Get a chance to address your detailed questions with the general session speaker.

**Speaker:** Donald Shoup, Department of Urban Planning  
University of California, Los Angeles



### **Making Bigger Better: Avoiding Mansionization and Preserving Neighborhoods**

With ever increasing housing costs, how does a community accommodate preferences in housing types, changing demographics and maintain the character that drew residents to the neighborhood in the first place? Some cities have approached the challenge through modifications to development standards; others have imposed design standards. A panel debates the merits of imposing restrictions, what they can be, and what happens after controls are put in place.

**Presider:** Susan Healy Keene, AICP, Director of Community Development, West Hollywood

**Speakers:** Mahdi Aluzri, AICP, Community Development Director, Beverly Hills

Alice Angus, AICP, Community Development Director, Orange

Hank Koenig, Santa Monica Planning Commissioner and Architect  
Koenig/Eizenberg Architects, Santa Monica

### **Walk this Way**

Obesity, physical inactivity, and overweight cost California an estimated \$28 billion per year in medical care, workers compensation and lost productivity. This session will demonstrate how city officials can address the obesity epidemic by developing safe and active communities through better access to healthy food and physical activity opportunities through general plans, zoning controls and community redevelopment.

**Speakers:** TBA

### **Group Homes: What Planning Commissioners Need to Know**

Group homes serve important purposes in the community but are often very controversial. This session will explore the authority, and lack of authority, that local agencies have to regulate such homes.

**Speaker:** Greg Priamos, City Attorney, Riverside

### **How to Run an Effective Meeting**

Ever feel like your meetings are on the verge of getting out of control? Learn how to lead more effective meetings from experienced professionals. Get practical tips on how to have more open, effective, productive and enjoyable meetings.

**Speakers:** TBA

### **Strip Mall Makeovers: From Frumpy to Fabulous**

Strip Malls have become the pimples and stretch marks of our communities. See how these ugly ducklings can be transformed into community assets including new downtowns and mixed use.

**Speaker:** Steve Price, Urban Advantage, Berkeley

### **Lunch/Mini Expo**

Noon – 2 p.m.

Enjoy lunch with your colleagues and be a part of the Mini Expo! Exhibiting companies will display products and services in the areas of: Budgeting, Performance Measuring, Retirement Planning, Economic and Community Development, Affordable Housing, Environmental Planning and Arbitration Practices, Traffic Solutions and Air Quality.

*Guest/spouse fee for the entire meeting is \$160.00. Single event/meal tickets for the Lunch/Mini Expo are available for \$50.00. Badges must be purchased in advance and will not be available at the door.*



### **Concurrent Sessions**

2:15 – 3:45 p.m.

### **State and Local Solutions for Housing: Comments from the HCD Director**

The new director for the State Department of Housing and Community Development, Lynn Jacobs, will discuss what the state is doing to help address the need for housing and how local agencies can take advantage of these programs.

**Speaker:** Lynn Jacobs, Director, CA State Housing and Community Development Department, Sacramento

### **Institutionalizing Collaborative Planning: Changing the Public Sector Culture to Support Civic Engagement**

Municipalities are increasingly turning to public engagement processes to bring resident voices to the table when making significant planning-related public decisions and policies. Panelists will comment on tools and strategies to move beyond one-time-only activities and to build an ongoing commitment to a public sector planning culture that invites the public's involvement. Join us to share perspectives and learn new approaches.

**Presider:** Terry Amsler, Director  
Collaborative Governance Initiative  
Institute for Local Government, Sacramento

**Speakers:** Elaine Costello, Director, Community Development Department, Mountain View

Janet Fairbanks, Senior Regional Planner  
San Diego Association of Governments, San Diego

Lynn Osborn, Program Manager  
511 Contra Costa Program  
Planning Commissioner, Danville

## Traffic Mitigation

This session will describe how to use traffic calming and alternative traffic devices. It will discuss the successes and failures of using roundabouts in your community.

**Speakers:** TBA

## High Tech for High Touch: New Technology and Planning Tools

New planning tools are taking some of the guess work out of planning. Visualization tools and mapping tools allow planners and community residents to understand the impact of their decisions on the landscapes of their communities, both in the short-term and into the future. These tools allow for more informed decisions and also allow community members to participate meaningfully in the planning process.

**Speakers:** Sacramento Council of Governments  
Representative

Steve Price, Urban Advantage, Berkeley

## Mobile Workshops

2:15 – 5:30 p.m.

### Coronado Mobile Workshop

Join in a tour of Coronado, the “Crown City” in San Diego Bay. Long famous for the Hotel Del Coronado, the island town is also home to new mixed use infill projects along its “main street,” many historic preservation endeavors and substantial public improvements that enhance the quality of life for residents and visitors. Visit the landmark ‘Hotel Del’ and learn about its recently implemented master plan. See the new Glorietta Bay Civic Center and Promenade along a beautiful bay shoreline. Observe mixed use infill projects that support the village atmosphere and the wonderful attributes that define Coronado.

**Speaker and Tour Leader:**

Dale St. Denis, AIA, Coronado

### Green Design Mobile Workshop

See first hand why it pays to go “green!” Visit the Ridgehaven Office Building, home to the City of San Diego’s Environmental Services Department, is a model of sustainable design. Learn how various environmental objectives were achieved related to energy efficiency, waste reduction, water conservation, improved indoor air quality and lighting. Hear first hand from building occupants as well as designers as to how to bring sustainable design criteria to your jurisdiction and how to review projects for better environmental efficiencies.

**Speaker and Tour Leader:**

Lynn Froeschle, AIA  
Environmental Consulting Architect  
San Diego

## Concurrent Sessions

4 – 5:15 p.m.

### Planning Commission Administrivia

The devil is always in the details. Examine the process of making a good decision that can withstand a challenge, appeal, or even judicial review. What is involved in developing an adequate record? What kind of evidence should the commission rely? What happens when there is an appeal? What makes a “fair” hearing? And, what are the due process requirements?

**Speaker:** Christi Hogin  
Jenkins and Hogin, Malibu

### Top 10 Questions

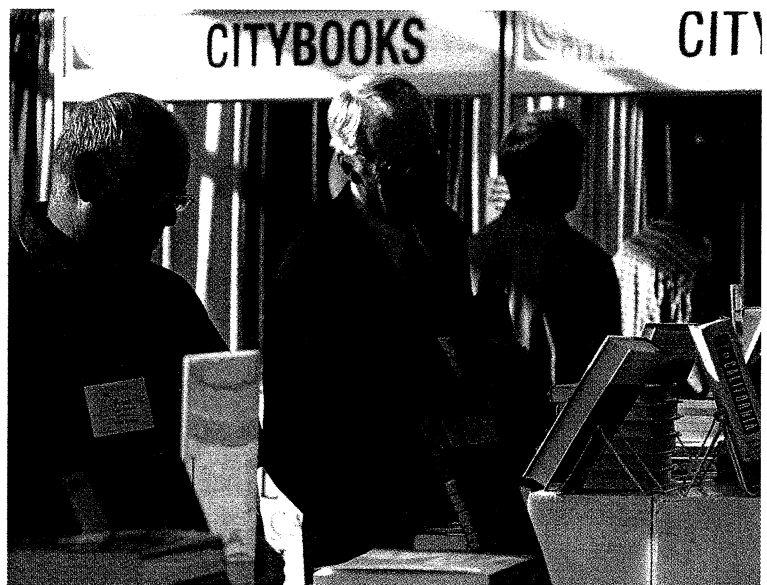
We have collected questionnaires from a number of commissioners and developed a list of common commission problems. Learn from your peers about “How to” deal with staff, tips for running meetings, and countless other issues. And, yes, bring your own questions as well.

**Facilitator:** Bill Higgins, Legislative Representative  
League of California Cities, Sacramento

### I Hate Yellow: The Importance of Design Review

Too many times, it seems, we hear about homeowners who want to paint or design their home in a way that is contrary to the restrictions in their deed. Who determines what is good design? Most people cannot describe what good design is, but they know it when they see it. Discuss how to give structure and clear expectations to your city’s design review process. Gain answers to: why design review is important, who is responsible, how to set the bar with political support, and how to review case studies to lead you step by step.

**Speakers:** TBA



Register online and receive a \$20 CityBooks coupon onsite.

# Friday, March 23

**Networking Breakfast/  
Full Breakfast Buffet** 7:30 – 8:30 a.m.

**Ethics Training** 8:15 – 10:15 a.m.

## **How to Build and Maintain the Public's Trust: Practical Ethics and the Law**

Your ability to lead in your community depends upon the extent to which the public trusts you and trusts your city as an institution. What are some questions that public officials can ask themselves when confronted with ethical dilemmas? What does the law require of you as a public servant? Discover the tools and resources available to you to deal with ethical and ethics law issues. Those who sign in and attend the **full session** will receive ethics education credit for purposes of AB 1234 compliance.

### **Moderator and Speaker:**

JoAnne Speers, Executive Director  
Institute for Local Government, Sacramento

**Concurrent Sessions** 9 – 10:15 a.m.

## **Condomania**

California housing market values may be stabilizing or on the decline, but it remains dynamic with potential upswings in the not too distant future. Demand for home ownership remains at its highest level in the history of California. With the recent cycle of escalating land and construction cost, more multi-residential property owners have opted to convert their existing apartment buildings into condominiums. Learn from one jurisdiction who successfully managed this trend without placing a strict moratorium or opening the flood gate for demolition of its existing stock.

**Facilitator:** Vince Bertoni, AICP, President of CCAPA  
City Planner, Beverly Hills

**Speakers:** Kathy Reims, Planning Commissioner,  
Beverly Hills  
Noah Furie, Planning Commissioner, Beverly Hills

## **Here Comes the Neighborhood: Community Acceptance of Affordable Housing**

California is experiencing a severe crisis of housing affordability. Yet local planners and elected officials can find it difficult to generate community support for affordable housing projects, which often precipitate neighborhood opposition from residents concerned about impact on quality of life. This session will describe tools that planners and public officials can successfully use to address neighborhood concerns and ensure that affordable housing meets with community acceptance rather than opposition.

**Speakers:** Terry Amsler, Director, Collaborative Governance  
Initiative, Institute for Local Government

Steve Sanders, Interim Director, Land Use and  
Housing Program, Institute for Local Government

## **Planning Commissioners Roles and Responsibilities —Can't We All Just Get Along?**

What is the role of the planning commission in your community? Neutral judge or jury? Advocate for good planning policies? Visionaries for development directions? At this session, gain a better understanding of your responsibilities, as well as the relationship between the planning commission, the council, and your practical working relations with staff and proponents.

**Speaker:** Lynn Osborn, Program Manager  
511 Contra Costa Program  
Planning Commissioner, Danville

## **Think Regionally, Act Locally**

Traffic, air and water quality, transportation systems, and jobs-housing balance all reach beyond the borders of one jurisdiction to another. Increasingly, regional and county-wide impacts are playing increasingly important roles in local decision making, particularly when more and more infrastructure funding is tied to projects that meet regional goals. This session will focus on the value of regional planning with an emphasis on assuring that local needs are still addressed.

**Speakers:** TBA

**General Closing Session** 10:30 – 11:45 a.m.

## **When Generations Collide**

People can be difficult no matter what their age. Disparities in age may lead people to see situations differently. Acknowledging that people of various ages see things differently is fundamental for successful communication.

One of today's foremost cultural translators and an expert on the generations at work, Lynne Lancaster, will explain how temporal and social demarcations help us understand the key influences that shaped each generation and why traits that play out in today's workplace can be so diverse. By combining practical, how-to exercises with examples from real-life work situations, this thought provoking session will help you start seeing co-workers in a new light.

**Speaker:** Lynne Lancaster, Co-founder/Partner  
Bridgeworks LLC, Sonoma





1400 K Street, Sacramento, CA 95814  
[www.cacities.org](http://www.cacities.org)

PRESORT FIRST CLASS  
US POSTAGE  
**PAID**  
PERMIT NO. 1022  
SACRAMENTO CA

City of Huntington Beach

JAN 12 2007

League of California Cities

# 2007 Planners Institute & Mini Expo

**Wednesday, March 21 –  
Friday, March 23, 2007**

**Town and Country Resort &  
Convention Center, San Diego**

Registration and Housing Deadline:  
Friday, March 2, 2007

League of California Cities

Conference Fee

Mark Your Calendar

## 2007 Planners Institute & Mini Expo

### Three Ways to Register

Register online at  
[www.cacities.org/events](http://www.cacities.org/events)

Registrations **completed online** before  
Friday, March 2, 2007, will receive a  
\$20 discount coupon to be used at the  
CityBooks bookstore.

Or, fax the enclosed registration form  
to the League of California Cities at  
(916) 658-8220.

Or, mail the form and a check to  
the League of California Cities,  
1400 K Street, Sacramento, CA 95814.

Reservations must be received no later  
than 5 p.m., Friday, March 2, 2007.  
After this date, please register onsite.

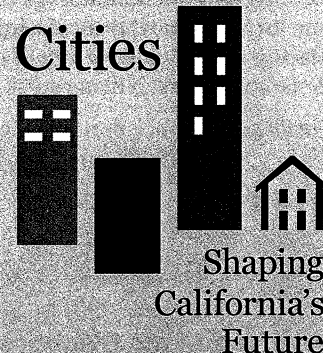
### Full Conference Wednesday, March 21 – Friday, March 23

*One day registration is not available*

City Officials	\$490
All Others	\$700
Guest/Spouse	\$160
(see Registration form, fees for spouses)	

### Special Accommodations

If you require special accommodations  
related to facility access, communication  
and/or diet, please contact Conference  
Registration at (916) 658-8291.



### Save the Date!

Join us in Sacramento,  
September 5–8, 2007  
for the League's  
Annual Conference.

Registration opens in  
May 2007.

8

# Hotel Registration Form



Please **DO NOT** return this form to the League of California Cities.  
Reservations must be received no later than **5 p.m., Friday, March 2, 2007.**

## How to Reserve Your Room:

Register online for the conference and housing at **www.cacities.org/events**.

OR call the hotel at **(800) 722-8527**. Be sure to request the group rate for the League of California Cities.

OR fill out this form completely and fax it to the Hotel at **(619) 294-4681**.

Please make copies of this form if **additional rooms** are to be reserved. Use only one form per room. If faxing this form, do not mail a duplicate copy. Hotel check-in is 3 p.m. and checkout is 11 a.m. All reservations, changes, or cancellations can be submitted to the hotel in writing or by calling the hotel.

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Telephone: (            ) \_\_\_\_\_ Fax: (            ) \_\_\_\_\_

E-mail \_\_\_\_\_

Arrival Date and Time \_\_\_\_\_ ☐ a.m. ☐ p.m.

Departure Date and Time \_\_\_\_\_ ☐ a.m. ☐ p.m.

## Room Preferences

☐ I will share a room with (name of person) \_\_\_\_\_

☐ Non Smoking Room      ☐ Handicapped Access      ☐ Single King      ☐ Double, 1 Bed      ☐ Double, 2 Beds

There are no guarantees on room type, although the hotel will do everything possible to accommodate your request.  
Room assignments are based on a first-come, first-serve basis.

## Deposit Information

The hotel requires a deposit in the amount of the first night's room rate. Housing forms received without a valid credit card or check deposit will be returned and will not be processed.  
(No cash deposits accepted.)

## Please make checks payable to:

Hotel Town and Country Hotel  
500 Hotel Circle North  
San Diego, CA 92108

**Rate:** \$139 single (plus 10.50% state and local tax)  
\$145 double (plus 10.50% state and local tax)

Deposits by credit card require the following information:

Name on Card \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Card Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

## Confirmation:

If you do not receive a confirmation via e-mail, fax or mail within 14 days after any transaction, please contact the hotel at (800) 772-8527.

## Cancellation:

You must cancel your housing reservation directly with the hotel. The hotel will make a full refund if the cancellation occurs before 5 p.m., 48 hours before your check-in date.

# Registration Form

Reservations must be received no later than 5 p.m., Friday, March 2, 2007. After this date, please register onsite.

**How to Register:** **Online** at [www.cacities.org/events](http://www.cacities.org/events)

Registrations completed online before Friday, March 2, 2007, will also receive a \$20 discount coupon to be used at the CityBooks bookstore.

OR **fax** this completed form to the League of California Cities at **(916) 658-8220**

OR **mail** this form, and a check, to the League of California Cities, 1400 K Street, Sacramento, CA 95814

**Complete One Form Per Registrant**

Enter your name and title as they should appear on your name badge. Confirmations will be mailed to the designated address. Please indicate guest/spouse's name if attending (if guest/spouse is not a public or city official).

Name & Title \_\_\_\_\_

Mailing Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Telephone: ( \_\_\_\_\_ ) \_\_\_\_\_ Fax: ( \_\_\_\_\_ ) \_\_\_\_\_

Registrant E-mail \_\_\_\_\_

Spouse/Guest Name (additional fees apply) \_\_\_\_\_

**Payment**

Check, money order, Visa or MasterCard are accepted. If you have questions, contact Conference Registration at (916) 658-8291.

**Online Bonus**

Register online and receive a \$20 CityBook coupon onsite.

**Badge**

Paid registration badges must be worn at all times during the conference. The badge is your meal and events ticket.

**Special Accommodations**

If you require special accommodations related to facility access, communication and/or diet, please contact our Conference Registrar at (916) 658-8291.

**Cancellations**

All registration cancellations must be submitted in writing and are subject to a \$50 processing fee. No refunds will be given for cancellation requests received after Friday, March 9, 2007. Substitutions can be made onsite.

**Fees**

**Full Conference**

**Wednesday, March 21– Friday, March 23**

*One day registration is not available.*

**Events Include:**

- Theme dinner/reception on Wednesday
- Full breakfast on Thursday and Friday
- Mini Expo lunch on Thursday

City Officials \_\_\_\_\_ @ \$490

All Others \_\_\_\_\_ @ \$700

\*Guest/Spouse (including all food events) \_\_\_\_\_ @ \$160

\*Guest/Spouse (Wednesday dinner only) \_\_\_\_\_ @ \$75

\*Guest/Spouse (Thursday lunch only) \_\_\_\_\_ @ \$50

**Total: \$** \_\_\_\_\_

\*It is inadvisable to use city funds to pay for spouse registration. See 75 Cal. Op. Att'y Gen. 20 (1992). Consult with your city attorney for more information.

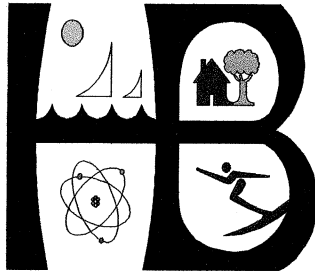
**Credit Card Payment.** If paying by credit card, please fax this registration form to (916) 658-8220.

☐ Visa ☐ MasterCard

Name on Card \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Card Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_



# MINUTES

## HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, OCTOBER 10, 2006

HUNTINGTON BEACH CIVIC CENTER

2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:15 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

### CALL PLANNING COMMISSION MEETING TO ORDER

ROLL CALL:                    *P*                    *P*                    *P*                    *P*                    *P*                    *P*                    *A*  
*Shier-Burnett, Livengood, Scandura, Dingwall, Farley, Horgan, Dwyer*  
*(Commissioner Dwyer had an excused absence)*

### AGENDA APPROVAL

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SCANDURA TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF OCTOBER 10, 2006, BY THE FOLLOWING VOTE:

AYES:                    Shier-Burnett, Livengood, Scandura, Dingwall, Farley, Horgan  
NOES:                    None  
ABSENT:                  Dwyer  
ABSTAIN:                None

### MOTION APPROVED

#### A. PROJECT REVIEW (FUTURE AGENDA ITEMS):

##### A-1. ZONING TEXT AMENDMENT NO. 06-05 (LARGE-FAMILY DAYCARE AMENDMENT) – Jennifer Villasenor

Jennifer Villasenor, Associate Planner, gave an overview of the proposed text amendment. She noted the current requirements and fees and highlighted the proposed changes which are to eliminate payment of an application fee and the submittal of architectural plans.

Discussion ensued between the Commissioners and staff regarding traffic circulation and the permitting process.

##### A-2. CONDITIONAL USE PERMIT NO. 06-34 (TATTOO GALLERY) – Tess Nguyen

Tess Nguyen, Associate Planner, gave an overview of the proposed project which consists of a tattoo studio in conjunction with an art gallery.

Commissioner Farley questioned the type of art to be on display. Nguyen stated that paintings, photographs and tattoo art would be displayed.

Commissioner Scandura asked staff how many tattoo shops are currently operating in Huntington Beach. Staff advised there are currently four shops.

**A-3. CONDITIONAL USE PERMIT NO. 06-28 (MOBIL MINI MART) – Rami Talleh**

Rami Talleh, Associate Planner, gave an overview of the proposed project which is a proposal to convert an automobile repair facility to a convenience store as an ancillary use to an existing gas station. He stated the new storefront design and landscaping would be consistent with Bella Terra.

Discussion ensued between Commissioners and staff regarding the driveway and the size of the refueling area.

**B. STUDY SESSION ITEMS - NONE**

**C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS):**

Herb Fauland announced late communications for Agenda Items B-1 and D-1.

**D. PLANNING COMMISSION COMMITTEE REPORTS:**

Commissioner Scandura reported that the City/School District Quarterly meeting was held on October 6, 2006. At the meeting the committee discussed enrollment issues and stated that the Nieblas school site in Fountain Valley had been sold.

Commissioner Shier-Burnett reported on the October 5, 2006, Environmental Board meeting. She noted that one of the members is writing an article on solar energy resources for newspaper publication.

**E. PUBLIC COMMENTS (Regarding Project Review or Study Session Portion of Meeting):**

Kimo Jarrett, applicant for Item A-3, provided information on safety concerns regarding the proposed project.

**F. PLANNING COMMISSION COMMENTS:**

Commissioner Scandura asked staff to report on Proposition 90 at an upcoming Study Session.

**5:50 P.M. – RECESS FOR DINNER**

**7:00 P.M. – COUNCIL CHAMBERS**

**CALL PLANNING COMMISSION MEETING TO ORDER**

**PLEDGE OF ALLEGIANCE – Led by Chair Dingwall**

**ROLL CALL:**        *P*                *P*                *P*                *P*                *P*                *P*                *A*  
**Shier-Burnett, Livengood, Scandura, Dingwall, Farley, Horgan, Dwyer**



## **AGENDA APPROVAL**

**A MOTION WAS MADE BY SCANDURA, SECONDED BY LIVENGGOOD, TO APPROVE THE PLANNING COMMISSION AGENDA OF OCTOBER 10, 2006, BY THE FOLLOWING VOTE:**

**AYES:** Shier-Burnett, Livengood, Scandura, Dingwall, Farley, Horgan  
**NOES:** None  
**ABSENT:** Dwyer  
**ABSTAIN:** None

## **MOTION APPROVED**

**A-1. SPECIAL RECOGNITION OF PLANNING COMMISSION SUBCOMMITTEE – PROJECT REVIEW PROCESS:** Mike Adams, Dean Albright, Bob Dingwall, John Erskine, Dick Harlow, Randy Kokal, Steve Ray, Ron Sattersfield, John Sisker.

Chair Dingwall presented certificates of recognition to the subcommittee members.

**A-2. ORAL COMMUNICATIONS - NONE**

**B. PUBLIC HEARING ITEMS:**

**B-1. CONDITIONAL USE PERMIT NO. 06-23 (HUNTINGTON BEACH BEER COMPANY)** **Applicant:** Mike C. Adams and Associates **Request:** To allow the establishment of a 200 sq. ft. dance floor, modified hours of operation and construction of a 400 sq. ft. outdoor dining area within the public right-of-way. The project also includes a request to participate in the Downtown Parking In-Lieu Fee program for three parking spaces (2 parking spaces for the dance floor and replacing one on-street parking space with outdoor dining). **Location:** 201 Main Street, Suite E **Project Planner:** Rami Talleh

**STAFF RECOMMENDATION:** Motion to: "Approve Conditional Use Permit No. 06-23 with findings and suggested conditions of approval."

**The Commission made the following disclosures:**

- Commissioner Burnett advised she has visited the site many times and spoke with staff.
- Commissioner Livengood visited the site and spoke with staff.
- Commissioner Scandura visited the site, spoke with staff and Councilman Coerper.
- Chair Dingwall stated he visited the site, met with the applicant and spoke with staff.
- Commissioner Farley visited the site and spoke with staff.
- Commissioner Horgan visited the site and spoke with staff.

Rami Talleh, Associate Planner, gave a Powerpoint presentation describing the proposed project. He stated that the existing second floor restaurant would be adding a dance floor and an outdoor dining area located on the sidewalk.

Police Chief Ken Small gave a presentation regarding the concerns the Police Department has with the proposed outdoor dining on the sidewalk such as sidewalk congestion, pedestrian access, and supervision of the outdoor dining patrons. Chief Small stated he supports the proposed dancing and amended hours of operation; however, he is not in favor of the proposed outdoor dining.

#### **THE PUBLIC HEARING WAS OPENED**

Mike Adams, applicant, requested approval of the proposed project as the addition of outdoor dining would assist the restaurant to compete with other sidewalk dining venues. He advised that there would be an employee present downstairs at all times to observe the outdoor dining area. He pointed out three other corner restaurants with outdoor dining in the immediate area which do not block the sidewalk.

Commissioner Shier-Burnett questioned the hours of operation and staff presence downstairs.

Commissioner Farley asked if alcohol would be served in the outdoor dining area. Adams stated there would be alcohol served during the proposed hours.

Commissioner Horgan voiced concern regarding the transport of food from the upstairs kitchen to the outdoor dining area. Caesar Pena, applicant/owner, stated the elevator would be used or possibly a dumbwaiter.

#### **WITH NO ONE ELSE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.**

Commissioner Livengood stated he was concerned regarding the location of the outdoor dining and the possibility of an accident occurring.

Shier-Burnett recommended parking bollards be installed by the outdoor dining area to prevent a vehicle accidentally driving onto the sidewalk area.

Discussion ensued regarding hours of operation, sidewalk congestion, supervision of the outdoor dining area and use of the elevator for food transport.

Chair Dingwall suggested continuation of the item so the concerns raised could be addressed and mitigated. The applicant agreed and asked for clarification of Commission concerns.

The Commissioner's concerns included: Bollards to be installed to protect diners; a physical presence of an employee at all times downstairs; proposed hours added to the CUP conditions; use of elevator; ADA and Health Department requirements; sidewalk width; location of bike racks; parking spaces; security plan; and possible installation of a dumbwaiter.

**A MOTION WAS MADE BY HORGAN, SECONDED BY FARLEY TO CONTINUE  
CONDITIONAL USE PERMIT NO. 06-23 TO THE NOVEMBER 14, 2006, MEETING, BY THE  
FOLLOWING VOTE:**

**AYES:** Shier-Burnett, Livengood, Scandura, Dingwall, Farley, Horgan  
**NOES:** None  
**ABSENT:** Dwyer  
**ABSTAIN:** None

**MOTION APPROVED**

**B-2. ZONING TEXT AMENDMENT NO. 06-06 (VEHICLE STORAGE AMENDMENT)**

**Applicant:** City of Huntington Beach **Request:** To amend Huntington Beach Zoning and Subdivision Ordinance, Sections 203.06, 204.10.FF7 and 231.18E to better define "vehicle storage" and to clarify how non-residential parking and loading is intended to be utilized. **Location:** Citywide **Project Planner:** Bill Zylla

**STAFF RECOMMENDATION:** Motion to: "Approve Zoning Text Amendment No. 06-06 with findings for approval and forward the Draft Ordinances including the legislative drafts to the City Council for adoption."

Bill Zylla, Principal Planner, gave an overview of the proposed amendment which would clarify the language defining vehicle storage.

**THE PUBLIC HEARING WAS OPENED**

Mike Adams, consultant, spoke against the proposed amendment citing the current parking supply for the downtown area as adequate and the surplus spaces should be used for revenue purposes.

Scandura asked if there is a procedure in place to rent out surplus parking. Zylla advised there is a current permit application process.

**WITH NO ONE ELSE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.**

Dingwall questioned how fast the permit process is and if it can be hastened in cases of short term permit parking. Scott Hess, Acting Planning Director, reminded the Chair that the amendment defines vehicle storage and does not amend the permit process.

**A MOTION WAS MADE BY LIVENGOOD, SECONDED BY DINGWALL TO APPROVE  
ZONING TEXT AMENDMENT NO. 06-06 WITH FINDINGS FOR APPROVAL AND FORWARD  
TO CITY COUNCIL, BY THE FOLLOWING VOTE:**

**AYES:** Shier-Burnett, Livengood, Scandura, Dingwall, Farley, Horgan  
**NOES:** None  
**ABSENT:** Dwyer  
**ABSTAIN:** None

**MOTION APPROVED**

## FINDINGS OF APPROVAL

### FINDINGS FOR APPROVAL - ZONING TEXT AMENDMENT NO. 06-06:

1. Zoning Text Amendment No. 06-06 to amend various sections of the Zoning and Subdivision Ordinance is consistent with the goals, objectives and policies of the General Plan because the amendment will give Code Enforcement Staff the ability to take effective measures which encourage compliance with the General Plan. By adding a definition of vehicle storage, clarifying vehicle storage activity, and stating the intended use of non-residential parking and loading, Code Enforcement can ensure that the goals, objectives, and policies of the General Plan are followed and effectively implemented.
2. In the case of a general land use provision, the zoning text amendment is compatible with the uses authorized in, and the standards prescribed for, the zoning district for which it is proposed. The amendment will apply to commercial, industrial, and mixed uses citywide. The amendment will create consistent development requirements for these uses in regards to vehicle storage, vehicle storage activity, and non-residential parking and loading. This amendment will aide in clearly defining the intended use of non-residential parking and loading spaces within these areas, thus eliminating or reducing confusion as to allowable uses.
3. A community need is demonstrated for the proposed zoning text amendment. The proposed changes will ensure existing and proposed vehicle storage activities and non-residential parking and loading spaces are used as intended and do not have negative impacts on the community by displacing parking and loading spaces outside of the associated, on-site use.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice. The General Plan requires that buildings, parking and vehicular access be sited and designed to prevent adverse impacts on adjacent residential neighborhoods. The amendment will result in the City's enhanced ability to enforce the provisions of the Zoning and Subdivision Ordinance pertaining to vehicle storage, vehicle storage activities, and non-residential parking and loading. This enhanced enforcement ability will assist in ensuring adequate non-residential parking and loading spaces, consistent with the goals and policies of the General Plan.

### **C. CONSENT CALENDAR:**

#### **C-1. PLANNING COMMISSION MINUTES DATED JULY 11, 2006**

**RECOMMENDED ACTION:** Motion to: "Approve the July 11, 2006, Planning Commission Minutes as submitted."

**A MOTION WAS MADE BY SCANDURA, SECONDED BY SHIER-BURNETT, TO APPROVE THE JULY 11, 2006, PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>Shier-Burnett, Livengood, Scandura, Dingwall, Horgan</b>
<b>NOES:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Dwyer</b>
<b>ABSTAIN:</b>	<b>Farley</b>

### **MOTION APPROVED**

**D. NON-PUBLIC HEARING ITEMS:**

**D-1. GENERAL PLAN CONFORMANCE NO. 06-04 (EDINGER AVENUE BRIDGE REPLACEMENT) – Applicant: John D. Pavlik, County of Orange, Resources and Development Management Department Request: To determine whether the County's proposal to build a replacement bridge located within city limits at the westerly terminus of Edinger Avenue is in compliance with the goals, objectives, and policies of the General Plan. The bridge provides access to the Sunset Aquatic Park. Location: Westerly Terminus of Edinger Ave. Project Planner: Ricky Ramos**

**STAFF RECOMMENDATION:** Motion to: "Adopt Resolution No. 1614 approving General Plan Conformance No. 06-04 with findings."

Ricky Ramos, Associate Planner, reviewed the proposed project which is to replace the Edinger Avenue Bridge.

Horgan requested clarification that the County of Orange would be rebuilding the bridge. Ramos advised that is correct.

**A MOTION WAS MADE BY SHIER-BURNETT, SECONDED BY HORGAN TO ADOPT RESOLUTION NO. 1614, APPROVING GENERAL PLAN CONFORMANCE NO. 06-04 WITH FINDINGS, ACTION WAS TAKEN BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>Shier-Burnett, Livengood, Scandura, Dingwall, Farley, Horgan</b>
<b>NOES:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Dwyer</b>
<b>ABSTAIN:</b>	<b>None</b>

**MOTION APPROVED**

**FINDINGS OF APPROVAL**

**GENERAL PLAN CONFORMANCE NO. 06-04**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15306, Class 6 of the California Environmental Quality Act, which states that information collection which does not result in major disturbance to an environmental resource is exempt from any environmental review.

**FINDINGS FOR APPROVAL – GENERAL PLAN CONFORMANCE NO. 06-04:**

1. The proposal to build a replacement bridge located within city limits at the westerly terminus of Edinger Avenue is in compliance with the goals, objectives, and policies of the Circulation and Coastal Elements of the City's General Plan:

**A. Circulation Element**

**Policy CE 1.1.2** – Monitor and participate in applicable County, Regional, State, and Federal transportation plans and proposals.

**Goal CE 2** – Provide a circulation system which supports existing, approved, and planned land uses throughout the City while maintaining a desired level of service on all streets and at all intersections.

The City is involved in reviewing and accommodating the County's request which will improve the existing access to the Sunset Aquatic Park.

**B. Coastal Element**

**Goal C 2** – Provide coastal resource access opportunities for the public where feasible and in accordance with the California Coastal Act requirements.

**Objective C 2.5** – Maintain and enhance, where feasible, existing shoreline and coastal resource access sites.

The County's proposal will improve access to the Sunset Aquatic Park which provides coastal recreation opportunities to the public.

**E. PLANNING ITEMS**

**E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING**

**Scott Hess, Acting Planning Director** – reported that the City Council approved the final map for the Kelter project and appointed a new member to the Design Review Board.

**E-2. CITY COUNCIL ITEMS FOR NEXT MEETING**

**Scott Hess, Acting Planning Director** – reported on the items scheduled for the next City Council meeting.

**E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING**

**Herb Fauland, Acting Planning Manager** – reported on the items scheduled for the next Planning Commission meeting.

**F. PLANNING COMMISSION ITEMS**

**F-1. PLANNING COMMISSION REQUEST ITEMS – NONE**

**F-2. PLANNING COMMISSION COMMENTS**

Commissioner Burnett – None.

Commissioner Livengood – Reported that he would be unable to attend the October 24<sup>th</sup> Planning Commission meeting.

Vice-Chairperson Scandura – None.

Chairperson Dingwall – None.

Commissioner Farley – None.

Commissioner Horgan – None.

Commissioner Dwyer – Absent.

**ADJOURNMENT:**

Adjourned at 9:00 p.m. to the next regularly scheduled meeting of Tuesday, October 24, 2006.

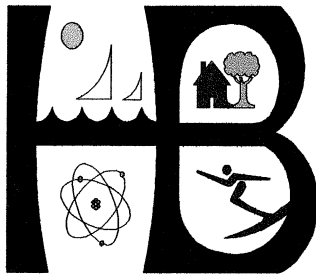
APPROVED BY:

---

Scott Hess, Secretary

---

Robert Dingwall, Chair



# MINUTES

## HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, OCTOBER 24, 2006

HUNTINGTON BEACH CIVIC CENTER

2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:45 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

### CALL PLANNING COMMISSION MEETING TO ORDER

**ROLL CALL:**                    *P*                    *A*                    *P*                    *P*                    *P*                    *A*                    *P*  
*Shier-Burnett, Livengood, Scandura, Dingwall, Farley, Horgan, Dwyer*  
*(Commissioner Livengood had an excused absence)*  
*(Commissioner Horgan arrived at 7:10 p.m.)*

### AGENDA APPROVAL

A MOTION WAS MADE BY BURNETT, SECONDED BY SCANDURA TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF OCTOBER 24, 2006, BY THE FOLLOWING VOTE:

AYES:                    Shier-Burnett, Scandura, Dingwall, Farley, Dwyer  
NOES:                    None  
ABSENT:                Livengood, Horgan  
ABSTAIN:                None

### MOTION APPROVED

#### **A.    PROJECT REVIEW (FUTURE AGENDA ITEMS):**

##### **A-1.    ZONING TEXT AMENDMENT NO. 06-07 (CHAPTER 231 – BICYCLE PARKING) – Rosemary Medel**

Rosemary Medel, Associate Planner, gave an overview of the proposed text amendment. She highlighted the proposed changes which includes Public Works approval for privacy gates and parking controls.

Commissioner Dwyer asked how the privacy gates, which are already in place, would be affected. Medel advised they would be grandfathered in.

#### **B.    STUDY SESSION ITEMS:**

##### **B-1.    PROPOSITION 90 (GOVERNMENT ACQUISITION, REGULATION OF PRIVATE PROPERTY, INITIATIVE CONSTITUTIONAL AMENDMENT) – COMMISSIONER SCANDURA**

Commissioner Scandura gave a presentation of the proposition and potential impacts to the City.



**C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS):**

Herb Fauland announced a change to Agenda Item B-3, Condition No. 1 and reported that staff received one phone call on the item.

**D. PLANNING COMMISSION COMMITTEE REPORTS - NONE**

**E. PUBLIC COMMENTS (Regarding Study Session Portion of Meeting) - NONE**

**F. PLANNING COMMISSION COMMENTS:**

Commissioner Scandura reported that he attended the California Chapter APA Conference in Garden Grove. He attended sessions on Green Building, sustainability and the redevelopment of strip malls.

Commissioner Dwyer reported that he reviewed the videotape of the October 10, 2006, Planning Commission meeting. He suggested that the Commissioners ask questions related to projects and staff reports while at Study Session and before meetings.

**6:35 P.M. – RECESS FOR DINNER**

**7:05 P.M. – COUNCIL CHAMBERS**

**CALL PLANNING COMMISSION MEETING TO ORDER**

**PLEDGE OF ALLEGIANCE** – Led by Chair Dingwall

**ROLL CALL:**            *P*                    *A*                    *P*                    *P*                    *P*                    *A*                    *P*  
*Shier-Burnett, Livengood, Scandura, Dingwall, Farley, Horgan, Dwyer*

**AGENDA APPROVAL**

**A MOTION WAS MADE BY SCANDURA, SECONDED BY FARLEY, TO APPROVE THE PLANNING COMMISSION AGENDA OF OCTOBER 24, 2006, BY THE FOLLOWING VOTE:**

**AYES:**            Shier-Burnett, Scandura, Dingwall, Farley, Dwyer  
**NOES:**            None  
**ABSENT:**        Livengood, Horgan  
**ABSTAIN:**        None

**MOTION APPROVED**

**A. ORAL COMMUNICATIONS - NONE**

**B. PUBLIC HEARING ITEMS:**

- B-1. ZONING TEXT AMENDMENT NO. 06-03 (FREEWAY SIGNS): Applicant:**  
Jennifer Blanchart **Request:** To amend the North Huntington Center Specific Plan (SP1) to allow freeway-oriented signage for businesses located within the North Huntington Center and the Crossings (Bella Terra) Specific Plan areas. The proposed signage will be installed on an existing parking structure located within the North Huntington Center Specific Plan area. **Location:** Area bounded by: 405 freeway, Center Ave., Beach Blvd., and Southern Pacific Railroad tracks. **Project Planner:** Jennifer Villasenor

**STAFF RECOMMENDATION:** Motion to "Approve Zoning Text Amendment No. 06-03 with findings for approval and forward Draft Ordinance, including the legislative draft to the City Council for adoption."

**The Commission made the following disclosures:**

- Commissioner Shier-Burnett advised she had visited the site many times.
- Commissioner Scandura advised he is familiar with the site and had spoken with Councilmember Coerper.
- Chair Dingwall stated he had visited the site many times.
- Commissioner Farley advised he was familiar with the site.
- Commissioner Horgan advised she was familiar with the site.

Jennifer Villasenor, Associate Planner, gave an overview of the amendment and the location of sign placement. She stated that the amendment would allow for advertisement due to a lack of arterial frontage at Bella Terra and Beachpointe Plaza.

Commissioner Shier-Burnett questioned the number of signs to be allowed on the parking structure and if it included a city identification sign. Villasenor stated there would be ten signs not including city identification signs.

Commissioner Scandura asked if directional signs would be installed and if they could be added to the Conditions of Approval. Villasenor stated there would not be directional signs included in this amendment. Herb Fauland, Acting Planning Manager, added that directional signs are covered under the current city ordinance.

Commissioner Farley asked if there would be any electronic reader board signs installed and who would decide on the fees. Villasenor advised there would not be any electronic reader board signs and the property owner would be required to pay fees according to the fee schedule.

**THE PUBLIC HEARING WAS OPENED**

Philip Schwartz, applicant's consultant, gave a review of the necessity and value of the program to the shops at Bella Terra and encouraged the Planning Commission to approve the amendment.

Dwyer asked the Mr. Schwartz if they were in full support of the signage being limited to Bella Terra and North Huntington Center. The applicant advised they were in agreement.

Scandura asked who would be the approving body for this planned sign program. Villasenor stated the Design Review Board and the Planning Director.

**WITH NO ONE ELSE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.**

Farley requested clarification on the number of signs to be posted on the parking structure.

Scott Hess, Acting Planning Director, recommended changing the number of signs in the amendment from ten to thirteen. This would include ten commercial signs, two project signs and one city identification sign.

Discussion ensued between Commissioners and Staff regarding sign placement and size.

**A MOTION WAS MADE BY SCANDURA, SECONDED BY HORGAN TO APPROVE ZONING TEXT AMENDMENT 06-03 WITH FINDINGS FOR APPROVAL AND FORWARD DRAFT ORDINANCE, INCLUDING THE LEGISLATIVE DRAFT TO THE CITY COUNCIL, BY THE FOLLOWING VOTE:**

**AYES: Shier-Burnett, Scandura, Dingwall, Farley, Dwyer, Horgan**  
**NOES: None**  
**ABSENT: Livengood**  
**ABSTAIN: None**

**MOTION APPROVED**

**FINDINGS OF APPROVAL**

**ZONING TEXT AMENDMENT NO. 06-03**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to City Council Resolution No. 4501, Class 20, which supplements the California Environmental Quality Act. The project is exempt because it involves amendments to the North Huntington Center Specific Plan which do not change the density of the affected project areas.

**FINDINGS FOR APPROVAL - ZONING TEXT AMENDMENT NO. 06-03:**

1. Zoning Text Amendment No. 06-03 to allow freeway-oriented signage in the North Huntington Center Specific Plan is consistent with the goals, objectives and policies of the General Plan. The freeway-oriented signage provisions will create opportunities for businesses and developments to provide increased visibility to potential customers and promote businesses located in the North Huntington Center as well as the Crossings Specific Plan areas. The proposed zoning text amendment is consistent with the goals and policies of the Economic Development Element of the General Plan in that it allows for the promotion of businesses in the two specific plan areas within the City of Huntington Beach.

2. In the case of general land use provisions, the zoning text amendment is consistent with the uses authorized in, and the standards prescribed for, the zoning district for which it is proposed. ZTA No. 06-03 proposes additional sign criteria to allow freeway-oriented

signage on an existing parking structure in the North Huntington Center Specific Plan area. The North Huntington Center Specific Plan allows for a mix of commercial and residential uses. Commercial uses primarily include office buildings, retail shops and restaurants. Multi-family residential developments are also permitted in portions of the specific plan area. ZTA No. 06-03 does not propose to change existing land use designations and is consistent with the uses permitted in the Specific Plan because it allows for uses within the North Huntington Center (SP1) and the adjacent Crossings Specific Plan areas to take advantage of their proximity to the 405 Freeway and the location of the existing parking structure fronting the 405 Freeway by having opportunities to further promote their business uses on the parking structure.

3. A community need is demonstrated for the proposed zoning text amendment. Major revitalization efforts have taken place in the subject specific plan areas. These efforts have included the establishment of many new businesses and developments including the Bella Terra shopping center, Buca Di Beppo's restaurant and the upcoming 24 Hour Fitness Health Club. ZTA No. 06-03 proposes to permit off-premises (freeway-oriented) signage in the SP1 and Crossings Specific Plan areas due to existing site characteristics preventing visibility from the City's major thoroughfares. A lack of arterial frontage presents an unusual circumstance for the commercial developments in the SP1 and Crossings Specific Plan areas. The existing parking structure located within the SP1 area presents an opportunity for businesses within the SP1 and Crossings Specific Plan areas to take advantage of its frontage along the 405 Freeway.

The proposed zoning text amendment provides additional signage standards for businesses to attract customers to the City of Huntington Beach and enhance the regional significance of this commercial area. The additional exposure and increased visibility will benefit the business community which in turn may generate additional tax revenue for the City.

4. The adoption of ZTA No. 06-03 will be in conformity with public convenience, general welfare and good zoning practice. ZTA No. 06-03 consists of the establishment of additional development standards for signage in the North Huntington Center Specific Plan area. The proposed signage standards provide the necessary zoning provisions to ensure a high quality project with no significant impacts to surrounding properties and the 405 Freeway while providing increased visibility to City of Huntington Beach businesses.

**B-2. CONDITIONAL USE PERMIT NO. 06-28 (MOBIL MINI-MART): Applicant:**  
Kaiser Korkis **Request:** To permit the conversion of an automobile repair facility to a convenience store as an ancillary use to an existing automobile service station. The request also includes the following exterior modifications: New storefront, design enhancements, landscape and parking upgrades, and the closure of one drive approach located on Edinger Avenue. **Location:** 16001 Beach Blvd. (southwest corner Beach Blvd. and Edinger Ave.) **Project Planner:**  
Rami Talleh

**STAFF RECOMMENDATION:** Motion to: "Approve Conditional Use Permit No. 06-28 with findings and suggested conditions of approval."

The Commission made the following disclosures:

- Commissioner Burnett advised she has visited the site.
- Commissioner Scandura visited the site.
- Chair Dingwall stated he visited the site many times.
- Commissioner Farley visited the site.
- Commissioner Horgan visited the site.
- Commissioner Dwyer had no disclosure.

Rami Talleh, Associate Planner, gave a Powerpoint presentation of the proposed project which included the conversion of the repair facility to a convenience store, the exterior modifications and design.

**THE PUBLIC HEARING WAS OPENED**

Kimo Jarrett, Applicant, spoke in favor of the project and advised he was available to answer questions.

**WITH NO ONE ELSE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.**

**A MOTION WAS MADE BY SCANDURA, SECONDED BY SHIER-BURNETT TO APPROVE CONDITIONAL USE PERMIT NO. 06-28 WITH FINDINGS AND SUGGESTED CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:**

**AYES: Shier-Burnett, Scandura, Dingwall, Farley, Horgan, Dwyer**  
**NOES: None**  
**ABSENT: Livengood**  
**ABSTAIN: None**

**MOTION APPROVED**

**FINDINGS AND CONDITIONS OF APPROVAL**

**CONDITIONAL USE PERMIT NO. 06-28**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines, which states that operation and minor alteration to existing structures involving negligible or no expansion are exempt from further environmental review.

**FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 06-28:**

1. Conditional Use Permit No. 06-28 for the conversion of an automobile repair facility to a convenience store as an ancillary use to an existing automobile service station will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed

convenience store is an ancillary use to an existing automobile service station and will provide an opportunity for residents and visitors to shop for goods and services as they enter or leave the City. The proposed improvements will improve both on-site and off-site circulation. The conversion will not generate noise, traffic, odor or other impacts at levels inconsistent with the commercial zoning applicable to the subject property.

2. The conditional use permit will be compatible with surrounding uses because the project is proposed on a commercially zoned property located at the intersection of Edinger Avenue and Beach Blvd., a commercial corridor primarily developed with other commercial uses and similar service stations with ancillary convenience store. The design enhancements proposed by the applicant and recommended by the Design Review Board will make the site's appearance compatible with the Bella Terra Mall and Bella Terra Car Wash, which are designed with similar colors and architectural features. In addition, removal of the automobile repair facility will eliminate a quasi-industrial use inconsistent with the commercial nature of the area.
3. The proposed mini-mart conversion will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance with the exception of reduced landscaping requirements and canopy setbacks along Edinger Avenue and Beach Boulevard previously approved by Conditional Exception No. 93-16. The project complies with building setbacks, maximum floor area ratio, building height, and parking. Furthermore, removal of a driveway entrance on Edinger Ave. will be in compliance with Precise Plan of Street Alignment No. 92-2 approved by the City in 1992.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of General Commercial on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

Objective LU 10.1 Provide for the continuation of existing and development of a diversity of retail and service commercial uses that are oriented to the needs of local residents, serve the surrounding region, serve visitors to the City, and capitalize on Huntington Beach's recreational resources.

Policy 10.1.1 Accommodate the development of neighborhood, community, regional, office, and visitor-servicing commercial uses in area designated on the Land Use Plan Map

The proposed convenience store as an ancillary use to the automobile service station will provide needed services for residents and visitors to the City. The new facility provides residents and visitors to the City with a service as they are en route to the City's recreational resources. The proposed use will provide an additional shopping opportunity for residents and visitors as they enter or leave the City.

B. Urban Design Element

Goal UD 1 Enhance the visual image of the City of Huntington Beach.

Objective UD 1.2 Consider establishing, at each significant node, a local center that serves its neighborhood constituency and provides a strong and distinct image for the district.

The subject site is located at the Edinger Avenue/San Diego Freeway/Beach Boulevard intersection, a primary entry node to the city. At this intersection and across Edinger Ave. is the Bella Terra Mall, which serves as a regional and local center with a strong and distinct image. The new storefront, design enhancements, and colors are consistent with Bella Terra Mall and will bolster and enhance the visual image at one of the City's primary entry nodes.

**C. Economic Development Element**

Goal ED 2 Aggressively retain and enhance the existing commercial, industrial, and visitor serving uses while attracting new uses to Huntington Beach

Policy ED2.4.1 Encourage and assist existing and potential commercial owners to modernize and expand their commercial properties.

The conversion of the automobile repair facility into a convenience store with façade and on-site improvements will enable the business to compete with other newly constructed service stations with convenience markets located along Beach Boulevard. In addition the proposed exterior improvements to the building will modernize the appearance of the structure.

**D. Circulation Element**

Goal CE 2 Provide a circulation system which supports existing, approved, and planned land uses throughout the City while maintaining a desired level of service on all streets and at all intersections.

Policy CE 2.3.2 Limit driveway access points and require adequate driveway widths onto arterial roadways and require driveways be located to ensure the smooth and efficient flow of vehicles, bicycles and pedestrians.

The eastbound traffic lane abutting the site along Edinger Avenue is a "right-turn only" lane. Removal of the easterly most driveway entrance on Edinger Avenue eliminates potential traffic conflicts between vehicles egressing/ingressing the site with vehicular traffic continuing east to turn right on Beach Blvd. The removal of the driveway entrance is consistent with Precise Plan of Street Alignment No. 92-2 and the adopted improvements for Edinger Avenue. The goal is to improve existing traffic flow and meet the needs of the area to accommodate future commercial expansion along the Edinger Ave. corridor.

**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT 06-28:**

1. The site plan, floor plans, and elevations received and dated July 21, 2006, shall be the conceptually approved design with the following modifications:
  - a. A three-foot wide landscaped planter shall be provided in front of the building along the southeast and southwest elevations. The existing 24 ft. drive aisle width south of the building shall be maintained.

- b. The cornice treatment on the building shall be painted a cocoa color (DEC755).
  - c. A white (DEW380) band shall be painted on the fascia on all four elevations of the building.
  - d. A blue corporate stripe (Beautiful Blue DEA136), in addition to the white band, shall be painted on the fascia of the southeast building elevation. In addition the proposed blue arches above the entrance shall remain.
  - e. The main color of the building shall be painted beige, two shades lighter than that of the color of existing brick veneer on the building.
  - f. A brick wainscoting to match that of the existing structure shall be provided for the bottom five feet of pump island support columns. In addition the support columns shall be painted beige to match the main color of the structure.
2. Prior to submittal for building permits the following shall be completed:
    - a. One set of project plans, revised pursuant to Condition of Approval No. 1, shall be submitted for review, approval and inclusion in the entitlement file, to the Planning Department.
  3. The proposed bathroom located within the convenience store shall be made to available to the public.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**B-3. CONDITIONAL USE PERMIT NO. 06-34 (THE TATTOO GALLERY):**

**Applicant:** Dan McNab **Request:** To permit the establishment of a tattoo studio (approximately 400 square feet) in conjunction with an art gallery, in an existing 1,076 square foot retail suite. **Location:** 19921 Beach Boulevard (west side of Beach Boulevard, north of Adams Avenue **Project Planner:** Tess Nguyen

**STAFF RECOMMENDATION:** Motion to "Approve Conditional Use Permit No. 06-34 with suggested findings and conditions of approval."

**The Commission made the following disclosures:**

- Commissioner Burnett advised she has visited the site many times.
- Commissioner Scandura visited the site.
- Chair Dingwall stated he visited the site.



- Commissioner Farley visited the site.
- Commissioner Horgan advised she is familiar with the site.
- Commissioner Dwyer advised his is familiar with the site.

Tess Nguyen, Associate Planner, gave a Powerpoint presentation of the proposed project which includes a tattoo shop and art gallery. Nguyen stated she received one late communication opposed to the project.

#### **THE PUBLIC HEARING WAS OPENED**

Dan McNab, Applicant, explained there would be an art gallery as well as tattoo parlor which would include sculptures, paintings and tattoo art.

Shier-Burnett voiced concern regarding under age visitors.

McNab stated that all tattoo patrons are required to present identification prior to being tattooed.

#### **WITH NO ONE ELSE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.**

Scandura questioned if the hours of operation could be mandated by the City.

Fauland stated that the Conditional Use Permits for other tattoo shops in the City have not been regulated and their hours have been self-imposed.

McNab stated he intends to close at 10:00 p.m., however, he wants to retain the right to close later if necessary due to out of town visitors and lengthy tattoo sessions.

Discussion ensued between the Commissioners, Staff and the Applicant regarding regulating hours of operation.

Chair Dingwall asked if any of the other businesses in the complex are regulated. Staff advised they are not.

Dingwall and Dwyer stated that this could be deemed as discriminatory and suggested approval of the CUP.

**A MOTION WAS MADE BY SHIER-BURNETT, SECONDED BY DWYER TO APPROVE CONDITIONAL USE PERMIT NO. 06-34 WITH SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>Shier-Burnett, Scandura, Dingwall, Farley, Horgan, Dwyer</b>
<b>NOES:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Livengood</b>
<b>ABSTAIN:</b>	<b>None</b>

#### **MOTION APPROVED**

## **FINDINGS AND CONDITIONS OF APPROVAL**

### **CONDITIONAL USE PERMIT NO. 06-34**

#### **FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines, which states that operation and minor alteration to existing structures are Categorically Exempt.

#### **FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 06-34:**

1. Conditional Use Permit No. 06-34 to permit the establishment of a 400 square foot tattoo studio in conjunction with an art gallery in an existing 1,076 square foot retail suite, will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood because the existing shopping center contains similar and complimentary uses to the proposed tattoo shop. In addition, based upon the conditions imposed, the tattoo establishment will comply with Huntington Beach Municipal Code Chapter 8.72, which establishes criteria, standards, and regulations to ensure safe and sterile tattoo operations for the health of both clients and operators of the tattoo business.

2. The conditional use permit will be compatible with surrounding land uses because the tattoo business is not anticipated to create undue noise and adequate on-site parking is provided.

3. The proposed tattoo establishment will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. In addition, the business will comply with all standards and regulations of any State, County, and local laws, in particular, Huntington Beach Municipal Code Chapter 8.72, Tattooing, Body Piercing and Permanent Cosmetics Regulations, and any applicable standards of County of Orange Health Care Agency, Environmental Health.

4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of General Commercial on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

#### **A. Land Use Element**

Objective 10.1: Provide for the continuation of existing and the development of a diversity of retail and service commercial uses that are oriented to the needs of local residents, serve the surrounding region, serve visitors to the City, and capitalize on Huntington Beach's recreational resources.

Policy 10.1.11: Promote the introduction of a diversity of uses in commercial centers, particularly those containing anchor grocery stores that improve their relationship with surrounding residential neighborhoods and increasing their viability as places of community activity.

**B. Economic Development Element**

Policy 2.4.3: Encourage the expansion of the range of goods and services provided in Huntington Beach to accommodate the needs of all residents in Huntington Beach and the market area.

The proposed tattoo studio and art gallery meets all applicable zoning codes and development standards and improves the long-term viability of the property by expanding the current tenant base in the center. The proposed use introduces a unique service to residents in the surrounding area and visitors to Huntington Beach.

**CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 06-34:**

1. The site plan, floor plans, and elevations received and October 5, 2006 shall be the conceptually approved layout.
2. The business shall comply with all standards and regulations of any State, County, and local laws, in particular, Huntington Beach Municipal Code Chapter 8.72, Tattooing, Body Piercing and Permanent Cosmetics Regulations, and any applicable standards of County of Orange Health Care Agency, Environmental Health.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**C. CONSENT CALENDAR:**

**C-1. PLANNING COMMISSION MINUTES DATED JULY 25, 2006**

**RECOMMENDED ACTION:** Motion to: "Approve the July 25, 2006, Planning Commission Minutes as submitted."

**A MOTION WAS MADE BY HORGAN, SECONDED BY SHIER-BURNETT, TO APPROVE THE JULY 25, 2006, PLANNING COMMISSION MINUTES WITH MODIFICATIONS, BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>Shier-Burnett, Scandura, Dingwall, Horgan</b>
<b>NOES:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Livengood</b>
<b>ABSTAIN:</b>	<b>Farley, Dwyer</b>

**MOTION APPROVED**

**C-2. PLANNING COMMISSION MINUTES DATED AUGUST 8, 2006**

**RECOMMENDED ACTION:** Motion to: "Approve the August 8, 2006, Planning Commission Minutes as submitted."

**A MOTION WAS MADE BY HORGAN, SECONDED BY FARLEY, TO APPROVE THE AUGUST 8, 2006, PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:**

**AYES:** Shier-Burnett, Scandura, Horgan, Dwyer  
**NOES:** None  
**ABSENT:** Livengood  
**ABSTAIN:** Dingwall, Farley

**MOTION APPROVED**

**C-3. PLANNING COMMISSION MINUTES DATED AUGUST 22, 2006**

**RECOMMENDED ACTION:** Motion to: "Approve the August 22, 2006, Planning Commission Minutes as submitted."

**A MOTION WAS MADE BY FARLEY, SECONDED BY SHIER-BURNETT, TO APPROVE THE AUGUST 22, 2006, PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:**

**AYES:** Shier-Burnett, Scandura, Dingwall, Horgan  
**NOES:** None  
**ABSENT:** Livengood  
**ABSTAIN:** Farley, Dwyer

**MOTION APPROVED**

**C-4. PLANNING COMMISSION MINUTES DATED SEPTEMBER 26, 2006**

**RECOMMENDED ACTION:** Motion to: "Approve the September 26, 2006, Planning Commission Minutes as submitted."

**A MOTION WAS MADE BY HORGAN, SECONDED BY DWYER, TO APPROVE THE SEPTEMBER 26, 2006, PLANNING COMMISSION MINUTES WITH MODIFICATIONS, BY THE FOLLOWING VOTE:**

**AYES:** Shier-Burnett, Scandura, Dingwall, Horgan, Dwyer  
**NOES:** None  
**ABSENT:** Livengood  
**ABSTAIN:** Farley

**MOTION APPROVED**

**D. NON-PUBLIC HEARING ITEMS - NONE**

**E. PLANNING ITEMS**

**E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING**

**Scott Hess, Acting Planning Director - reported on the items from the previous City Council meeting.**

**E-2. CITY COUNCIL ITEMS FOR NEXT MEETING**

**Scott Hess, Acting Planning Director – reported on the items scheduled for the next City Council meeting.**

**E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING**

**Herb Fauland, Acting Planning Manager – reported on the items scheduled for the next Planning Commission meeting.**

**F. PLANNING COMMISSION ITEMS**

**F-1. PLANNING COMMISSION REQUEST ITEMS – NONE**

**F-2. PLANNING COMMISSION COMMENTS**

Commissioner Burnett – Conveyed her appreciation to Associate Planners Jennifer Villasenor and Tess Nguyen for their exceptionally well prepared staff reports.

Commissioner Livengood – Absent.

Vice-Chairperson Scandura – Stated the Commission discussion regarding Agenda Item No. B-3 was very thorough and he appealed to the public to vote on November 7, 2006.

Chairperson Dingwall – None.

Commissioner Farley – None.

Commissioner Horgan – None.

Commissioner Dwyer – None.

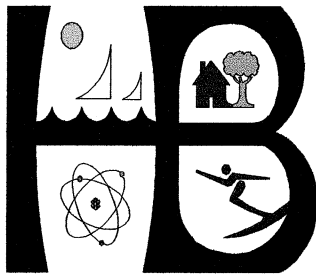
**ADJOURNMENT:**

Adjourned at 8:45 p.m. to the next regularly scheduled meeting of Tuesday, November 14, 2006.

**APPROVED BY:**

\_\_\_\_\_  
Scott Hess, Secretary

\_\_\_\_\_  
Robert Dingwall, Chair



# MINUTES

## HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, NOVEMBER 14, 2006

HUNTINGTON BEACH CIVIC CENTER

2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:15 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

### CALL PLANNING COMMISSION MEETING TO ORDER

**ROLL CALL:**                    *P*                    *P*                    *P*                    *P*                    *P*                    *A*                    *P*  
*Shier-Burnett, Livengood, Scandura, Dingwall, Farley, Horgan, Dwyer*  
*(Commissioner Horgan had an excused absence)*

### AGENDA APPROVAL

A MOTION WAS MADE BY SCANDURA, SECONDED BY LIVENGGOOD TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF NOVEMBER 14, 2006, BY THE FOLLOWING VOTE:

AYES:                    Shier-Burnett, Livengood, Scandura, Dingwall, Farley, Dwyer  
NOES:                    None  
ABSENT:                Horgan  
ABSTAIN:                None

### MOTION APPROVED

#### **A.    PROJECT REVIEW (FUTURE AGENDA ITEMS):**

##### **A-1.    ZONING TEXT AMENDMENT NO. 06-02 (DENSITY BONUS AMENDMENT – Continued from September 12, 2006) – Rosemary Medel**

Rosemary Medel, Associate Planner, gave an overview of the amendment and its impacts.

Chair Dingwall voiced concern over the resale of affordable housing units and potential monetary loss to the City.

##### **A-2.    CONDITIONAL USE PERMIT NO. 06-23 (HUNTINGTON BEACH BEER COMPANY – Continued from October 10, 2006) – Rami Talleh**

Scott Hess, Acting Director of Planning, reviewed the changes to the site plan.

Commissioner Livengood questioned the Fire Code requirements and entryway to the restroom facilities.

##### **A-3.    ZONING TEXT AMENDMENT NO. 06-05 (LARGE FAMILY DAY CARE) – Jennifer Villasenor**

Jennifer Villasenor, Associate Planner, reviewed the amendment which involved permit fee changes.

**A-4. ZONING TEXT AMENDMENT NO. 06-07 (AMENDING CHAPTER 231 OFF-STREET PARKING AND LOADING PROVISIONS) – Rosemary Medel**

Rosemary Medel, Associate Planner, summarized the amendment and Public Works approval requirements.

Commissioner Dwyer asked if current entry gates would be subject to the new amendment. Medel advised they would not.

**B. STUDY SESSION ITEMS:**

**B-1. CONDITIONS OF APPROVAL – Scott Hess/Leonie Mulvihill**

Leonie Mulvihill, Senior Deputy City Attorney, gave a Powerpoint presentation of the Conditions of Approval process.

Discussion ensued between staff and Commissioners regarding Planning Commission impacts on project approvals and zoning codes.

**B-2. FINDINGS OF APPROVAL – Scott Hess/Leonie Mulvihill**

Leonie Mulvihill, Senior Deputy City Attorney, and Scott Hess, Acting Director of Planning reviewed the Findings of Approval process.

**B-3. LATE COMMUNICATIONS – NONE.**

**C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS) - NONE**

**D. PLANNING COMMISSION COMMITTEE REPORTS - NONE**

**E. PUBLIC COMMENTS (Regarding Study Session Portion of Meeting) - NONE**

**F. PLANNING COMMISSION COMMENTS:**

Commissioner Shier-Burnett requested information on Conditional Use Permit hours of operation requirements.

Chair Dingwall reported that he represented the Planning Commission at the November 6, 2006, City Council meeting regarding the appeal of the Ponderosa Steakhouse Conditional Use Permit.

**6:35 P.M. – RECESS FOR DINNER**

**7:15 P.M. – COUNCIL CHAMBERS**

**CALL PLANNING COMMISSION MEETING TO ORDER**

**PLEDGE OF ALLEGIANCE** – Led by Chair Dingwall

**ROLL CALL:**        *P*                *P*                *P*                *P*                *P*                *A*                *P*  
*Shier-Burnett, Livengood, Scandura, Dingwall, Farley, Horgan, Dwyer*

## **AGENDA APPROVAL**

**A MOTION WAS MADE BY SCANDURA, SECONDED BY DWYER, TO APPROVE THE PLANNING COMMISSION AGENDA OF NOVEMBER 14, 2006, BY THE FOLLOWING VOTE:**

**AYES:** Shier-Burnett, Livengood, Scandura, Dingwall, Farley, Dwyer  
**NOES:** None  
**ABSENT:** Horgan  
**ABSTAIN:** None

## **MOTION APPROVED**

**A. ORAL COMMUNICATIONS - NONE**

**B. PUBLIC HEARING ITEMS:**

**B-1. ZONING TEXT AMENDMENT NO. 06-02 (DENSITY BONUS AMENDMENT – Continued from September 12, 2006) Applicant:** City of Huntington Beach.

**Request:** To amend Huntington Beach Zoning and Subdivision Ordinance, Section 230.14 Affordable Housing Incentives/Density Bonus, to comply with state mandated changes pursuant to Senate Bills 1818 and 435. The existing ordinance allows for up to a 25% density bonus when housing projects restrict 10-20% of the units as affordable or 50% for seniors. The proposed ordinance reduces the number and affordability of the units that must be restricted to qualify for a density bonus. Consistent with the new law, the proposed ordinance includes other provisions regarding incentives, concessions, waiver of development standards and child care facilities. **Location:** Citywide Residential Districts/Mixed Use Zoning. **Project Planner:** Rosemary Medel

**STAFF RECOMMENDATION:** Motion to “Approve Zoning Text Amendment No. 06-02 with findings for approval and forward Draft Ordinance including the legislative draft to the City Council for adoption.”

Rosemary Medel, Associate Planner, gave an overview of the Density new state law and the necessity of the city zoning code amendment in order to be consistent with state law.

Commissioner Dwyer voiced his approval of the law and stated it is beneficial for small developments.

Chair Dingwall stated he is in opposition to the new law and felt it would change R-1 Zoning negatively. He voiced concern that the city would lose money if the property values drop.

Scott Hess, Acting Director of Planning, clarified that the law is a density bonus for developers not a housing project.

**THE PUBLIC HEARING WAS OPENED**

**WITH NO ONE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.**



**A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SCANDURA TO APPROVE ZONING TEXT AMENDMENT 06-02 WITH FINDINGS FOR APPROVAL AND FORWARD DRAFT ORDINANCE, INCLUDING THE LEGISLATIVE DRAFT TO THE CITY COUNCIL, BY THE FOLLOWING VOTE:**

**AYES:** Shier-Burnett, Livengood, Scandura, Farley, Dwyer  
**NOES:** Dingwall  
**ABSENT:** Horgan  
**ABSTAIN:** None

**MOTION APPROVED**

**FINDINGS FOR APPROVAL**

**FINDINGS FOR APPROVAL - ZONING TEXT AMENDMENT NO. 06-02:**

1. Zoning Text Amendment No. 06-02, to amend Chapter 230 of the Huntington Beach Zoning and Subdivision Ordinance Site Standards, Section 230.14 Affordable Housing Incentive/Density Bonus is consistent with the objectives, policies, general land uses and programs specified in the General Plan and various specific plans because the proposed amendments would bring the City's Zoning Code in conformance with the State mandated changes to density bonus law and further facilitate the development of affordable housing.
2. The proposed zoning text amendment is compatible with the uses authorized in, and the standards prescribed for the various residential and mixed use zoning districts because the proposed density bonus ordinance does not change the types of permitted uses, i.e. residential, and requires that any concessions or incentives not result in any significant adverse impacts.
3. A community need is demonstrated for the proposed change in the City's Density Bonus provisions in that incentives for affordable housing would be provided consistent with the priorities identified by the State of California. In addition, the density bonus law amendment would provide additional tools to achieve affordable housing at various income levels through increased incentives and concessions available to housing developers.
4. The adoption of this amendment is in conformance with the public convenience, general welfare and acceptable zoning practices, because although a waiver of development standards is offered, the development of density bonus units would generally comply with the development standards for the zone and the City's ordinance would be consistent with the new State law.

**B-2. CONDITIONAL USE PERMIT NO. 06-23 (HUNTINGTON BEACH BEER COMPANY – Continued from October 10, 2006) Applicant:** Mike C. Adams and Associates **Request:** To allow the establishment of a 100 sq. ft. dance floor, modified hours of operation and construction of a 224 sq. ft. outdoor dining area with alcohol sales within the public right-of-way. The project also includes a request to participate in the Downtown Parking In-Lieu Fee program for two parking spaces (one parking space for the dance floor and replacing one on-street parking space with outdoor dining). **Location:** 201 Main Street, Suite E **Project Planner:** Rami Talleh

**STAFF RECOMMENDATION:** Motion to: "Approve Conditional Use Permit No. 06-23 with findings and suggested conditions of approval."

**The Commission made the following disclosures:**

- Commissioner Shier-Burnett advised she has visited the site and spoken with Chief Small.
- Commissioner Livengood visited the site.
- Commissioner Scandura visited the site.
- Chair Dingwall stated he visited the site.
- Commissioner Farley visited the site.
- Commissioner Dwyer visited the site.

Rami Talleh, Associate Planner, gave a Powerpoint presentation of the changes to the original site plan.

Commissioner Shier-Burnett voiced her concern regarding diner safety due to the proximity of the proposed outdoor dining to the street. She suggested parking bollards be installed to prevent accidents and also asked if the tree at the location would be removed. Talleh advised the tree would be relocated.

Commissioner Livengood questioned if the location of the emergency exits meet fire code requirements.

Eric Engberg, Fire Marshall, stated that the gate and exit door placement would be required to meet fire codes. He added there may be a possibility of removing the gate.

Commissioner Scandura voiced his concern with an employee policing the outdoor dining area.

Commissioner Farley asked staff if the outdoor furniture would be removed at a specific time and if there is a designated area to store the furniture. Talleh advised the furniture will be removed when outdoor dining ceases and there is a storage area available.

Discussion ensued regarding the tree removal, bollards, and pedestrian walkway requirement.

**THE PUBLIC HEARING WAS OPENED**

Mike Adams, Consultant for the applicant, thanked the Planning Commission for continuing the item and addressed the bollard issue. He suggested fence supports that would serve as bollards. The fencing would be filled with concrete and attached to an impact resistant fence. Adams stated he would work with the Public Works Department to determine the appropriate type of posts to absorb vehicle impact. Adams stated there is no problem eliminating the gate if necessary.

Commissioner Scandura questioned the issue of outside security or an employee presence at all times the outdoor dining is open.

Caesar Pena, applicant, will have security present during evening hours while there is live entertainment and an employee present for the outdoor dining area.

**WITH NO ONE ELSE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.**

Scandura and Shier-Burnett requested a condition be added stating a constant employee presence while outdoor dining is open.

Discussion ensued between Commissioners and staff regarding employee presence, security and bollard placement.

Farley stated that he will not support the project as he does not agree with the loss of parking and feels that other upstairs restaurants on Main Street will attempt to incorporate downstairs dining in the future which would create crowding on the sidewalk.

**A MOTION WAS MADE BY LIVENGGOOD, SECONDED BY SHIER-BURNETT TO APPROVE CONDITIONAL USE PERMIT NO. 06-23 REVISED FINDINGS AND SUGGESTED CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:**

**AYES:** Shier-Burnett, Livengood, Scandura, Dingwall, Dwyer  
**NOES:** Farley  
**ABSENT:** Horgan  
**ABSTAIN:** None

**MOTION APPROVED**

**FINDINGS AND CONDITIONS OF APPROVAL**

**CONDITIONAL USE PERMIT NO. 06-23**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines, which states that operation and minor alteration to existing structures involving negligible or no expansion are exempt from further environmental review.

**FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 06-23:**

1. Conditional Use Permit No. 06-23 to permit dancing in a designated area within the restaurant totaling 100 square feet of dance floor area, expand the hours of operation to between 11:00 a.m. and 2:00 a.m. Monday thru Friday and between 7:00 a.m. to 2:00 a.m. Saturday and Sunday and live entertainment to between 6:00 p.m. and 1:00 a.m. daily, establish an outdoor dining area with alcohol service within the public right-of-way removing one existing on-street parking, and participate in the Downtown Parking In-Lieu Fee program for two additional parking spaces will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed uses will not create adverse noise or parking impacts to the surrounding businesses and residents based on the restrictions on hours of operation and the conditions of approval regulating noise generation in the entertainment permit. The proposed dance floor is ancillary to that of the restaurant operation. The outdoor dining area will be separated from the adjoining sidewalk by a 36-inch high barrier to protect pedestrians and to prevent the outdoor dining areas and alcohol service from expanding beyond the approved area. In addition, the availability of a variety parking opportunities currently exist along Main Street and surrounding streets as well as within public parking structures in proximity to the subject site.

2. The conditional use permit will be compatible with surrounding uses. The live entertainment and dance floor will be located within the restaurant and will be required to comply with conditions of approval imposed by the Planning Commission and monitored by the Police Department to assure impacts to surrounding properties are minimized. In addition, the proposed use would not result in noise impacts based on the mixed-use character of commercial developments in the downtown. The outdoor dining area will enhance the pedestrian character and scale of the street scene surrounding the project. The removal of one parking space is consistent with other projects within the same block that involved constructing outdoor dining within the public right-of-ways.
3. The proposed restaurant will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance and any specific condition required for the proposed use in the district in which it will be located. The proposed use will comply with parking in the Downtown Parking Master Plan and will be accommodated through payment of parking in-lieu fees based on the size of the proposed dance floor. There is no physical expansion of the restaurant except for the outdoor dining area, which complies with all applicable development standards including sidewalk widths and separation from pedestrian walkways.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Mixed Use on the subject property including the following policies and objectives identified in the General Plan:

A. Land Use Element

Objective LU 7.1 Accommodate the development of a balance of land uses that (a) provides for the housing, commercial, employment, cultural, entertainment, and recreation needs of existing and future residents, (b) provides employment opportunities for residents of the City and surrounding subregion, (c) captures visitor and tourist activity, and (d) provides open space and aesthetic relief from urban development.

Goal LU 11 Achieve the development of projects that enable residents to live in proximity to their jobs, commercial services, and entertainment, and reduce the need for automobile use.

Policy LU 15.2.2 Require that uses in the Pedestrian overlay district be sited and designed to enhance and stimulate pedestrian activity along the sidewalks.

Policy LU 15.2.2(a) Assure that areas between building storefronts and public sidewalks are visually and physically accessible to pedestrians.

The proposed dancing in association with existing live entertainment and amended hours of operation will allow the establishment to expand on its services to its patrons and surrounding residents. The proposal also provides visitors and tourists an additional activity consistent with other similar businesses within the primary commercial Downtown core. The project is located in a mixed-use district of the downtown area and within walking distance of several downtown parking facilities as well as residential uses thus reducing the need for automobile use. The proposed outdoor dining area is designed to provide the minimum required eight ft. wide sidewalk to ensure that the area is physically accessible to pedestrians consistent with the remainder of the second block of Main Street. The removal of one on-street parking space for the construction of outdoor dining will promote pedestrian activity as envisioned by the Downtown Specific Plan.

**B. Coastal Element**

Policy C 3.2.3 Encourage the provision of a variety of visitor-serving commercial establishments within the Coastal Zone, including but not limited to, shops, restaurants, hotels and motels, and day spas.

LCP/DTSP Main Street should be a lively, active commercial district at the street level. The first floor of developments along Main Street should be commercial, with open-air establishments encouraged.

The proposed dancing in association with existing live entertainment and the amended hours of operation increases the commercial viability of the existing restaurant use allowing for its continued success within the Downtown and expands its available amenities to its patrons. The proposed outdoor dining will create a more lively pedestrian oriented use consistent with the other restaurant uses with outdoor dining along Main Street. The removal of one on-street parking space for the construction of outdoor dining will promote a lively, active commercial district at the street level. The provision of parking by participation in the In-Lieu Fee Program will not impact the Downtown Parking Master Plan, Downtown Specific Plan, or coastal resources because it is consistent with the adopted Coastal Element.

**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 06-23:**

1. The site plan received and dated October 20, 2006 and floor plan received and dated October 27, 2006, shall be the conceptually approved design with the following modifications:
  - a. The existing palm tree adjacent to the outdoor dining area shall be removed to provide a minimum eight-foot wide walkway and relocated to an area approved by the Public Works Department.
  - b. A minimum eight-foot wide walkway free from any obstruction shall be provided between the adjacent parking space (not including the two-foot vehicle overhang) and outdoor dining area.
  - c. Impact resistance posts shall be incorporated into the outdoor dining railing. Final design of the railing shall be subject to review and approval by the Planning Department and Public Works Department.
2. Prior to commencing of the outdoor dining and dancing, the following shall be provided:
  - a. A copy of an approved Entertainment Permit, as issued by the Police Department, shall be submitted to the Planning Department.
  - b. A Certificate of Occupancy must be approved by the Planning Department and issued by the Building and Safety Department.
  - c. The property owner shall submit to the Planning Department an In-Lieu Parking Fee Participation Agreement for the current in-lieu parking fee amount as adopted by City Council Resolution for one parking space. The agreement shall be reviewed and approved by the City Attorney as to form and content and, when approved, shall be recorded in the Office of the Orange County Recorder. The recorded agreement shall remain in effect for the term specified, except as modified or rescinded pursuant to the expressed written approval of the City of Huntington Beach.

- d. A copy of the recorded In-Lieu Parking Fee Participation Agreement and proof of full lump sum or first installment payment to the City Treasurer shall be submitted to the Planning Department.
  - e. The applicant shall coordinate with the Planning Department and Public Works Department to relocate the newspaper racks in front of the entrance to restaurant/microbrewery.
3. Prior to issuance of an encroachment permit for construction within the public right-of-way, the following shall be complied with:
- a. A License Agreement including all applicable fees and payment for funding of a code enforcement officer, as approved by the City Council, shall be obtained from the City for outdoor dining located on public property. The License Agreement shall be subject to termination pursuant to the terms of the License Agreement.
  - b. The applicant shall provide a Maintenance Agreement with the City for maintenance of all portions of the public property used and approved by the Planning Commission for the outdoor dining with alcohol service. Said agreement shall be submitted to and approved by the Department of Public Works prior to commencement of the use.
  - c. The applicant shall provide a public liability insurance policy as specified in all current insurance resolutions within 60 days from this approval (January 14, 2006). Such liability insurance shall be provided in a form acceptable to the City Attorney. The policy shall name the City of Huntington Beach as an additional insured and shall be maintained at all times.
4. The use shall comply with the following:
- a. The hours of operation for the restaurant (second floor dining area and terraces) shall be limited to between 11:00 a.m. and 2:00 a.m. Monday through Friday and between 7:00 a.m. and 2:00 a.m. Saturday, Sunday, and holidays.
  - b. The hours for operation for the outdoor dining area shall be limited to between 11:00 a.m. and 9:00 p.m. Monday through Friday and between 7:00 a.m. and 9:00 p.m. Saturday, Sunday, and holidays.
  - c. The operating hours for live entertainment shall be limited to between 6:00 p.m. and 1:00 a.m. daily.
  - d. The operating hours for dancing shall be limited to between 9:00 p.m. and 1:00 a.m. Thursday through Sunday.
  - e. All conditions of the Entertainment Permit as approved by the Police Department.
  - f. All conditions of approval under Conditional Use Permit No. 92-13 with the exception of Condition 2 which limits hours of operation and Conditional Use permit No. 99-55 shall remain in effect.
  - g. The outdoor dining area shall be physically supervised by a staff member when customers are present.

- h. Wireless communication shall be provided between staff members located within the outdoor dining area and the on-site manager.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**B-3. ZONING TEXT AMENDMENT NO. 06-05 (LARGE FAMILY DAY CARE):**

**Applicant:** City of Huntington Beach. **Request:** To amend Chapter 210, Residential Districts, of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to allow large family day care uses in residential zoning districts with an Administrative Permit and Neighborhood Notification (300-foot radius) with no applicable filing fee or required architectural plans. **Location:** Citywide.  
**Project Planner:** Jennifer Villasenor

**STAFF RECOMMENDATION:** Motion to "Approve Zoning Text Amendment No. 06-05 with findings for approval and forward Draft Ordinance, including the legislative draft to the City Council for adoption."

**The Commission made the following disclosures:**

- Commissioner Shier-Burnett advised she discussed the issue with staff and in study session.
- Commissioner Livengood advised he discussed the issue with staff and in study session.
- Commissioner Scandura advised he discussed the issue with staff and in study session.
- Chair Dingwall advised he discussed the issue with staff and in study session.
- Commissioner Dwyer advised he brought the issue to the City Council and discussed the issue in study session.

Jennifer Villasenor, Associate Planner, briefed the Commissioners on the change in permit fees regarding large family daycares within the city.

Dwyer asked if the Fire Department would still conduct an inspection of the residence requesting the daycare permit. Engberg advised the City Fire Department and the State would inspect the property.

**THE PUBLIC HEARING WAS OPENED**

Roseann Andrus, Orange County United Way, commended the City of Huntington Beach's efforts in amending the zoning code in order to allow for more daycare in the city. She stressed how vital daycare is and recognized Councilmember Cathy Greene for her efforts.

**WITH NO ONE ELSE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.**

**A MOTION WAS MADE BY DWYER, SECONDED BY BURNETT TO APPROVE ZONING TEXT AMENDMENT 06-05 WITH FINDINGS FOR APPROVAL AND FORWARD DRAFT ORDINANCE, INCLUDING THE LEGISLATIVE DRAFT, TO THE CITY COUNCIL FOR ADOPTION, BY THE FOLLOWING VOTE:**

**AYES: Shier-Burnett, Livengood, Scandura, Dingwall, Farley, Dwyer**  
**NOES: None**  
**ABSENT: Horgan**  
**ABSTAIN: None**

**MOTION APPROVED**

**FINDINGS FOR APPROVAL**

**ZONING TEXT AMENDMENT NO. 06-05**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to City Council Resolution No. 4501, Class 20, which supplements the California Environmental Quality Act. The project is exempt because it involves amendments to the HBZSO Plan that do not change the density of the affected project areas.

**FINDINGS FOR APPROVAL - ZONING TEXT AMENDMENT NO. 06-05:**

1. Zoning Text Amendment No. 06-05 to permit large family day care uses with a no-fee administrative permit is consistent with the goals, objectives and policies of the General Plan. The General Plan Land Use Element calls for the inclusion of service uses that support the resident needs within residential neighborhoods. Elimination of the CUP requirement for large family day cares will create more opportunities for large family day care operators to offer childcare services in the City that may have been deterred in the past due to the costly CUP application fees. ZTA No. 06-05 provides for the further accommodation of community-serving uses in residential neighborhoods as stated in the policies of the General Plan Land Use Element.
2. In the case of general land use provisions, the zoning text amendment is consistent with the uses authorized in, and the standards prescribed for, the zoning district for which it is proposed. ZTA No. 06-05 proposes to amend Chapter 210.04 of the HBZSO by eliminating the CUP requirement for large family day cares and instead requiring a no-fee administrative permit. This will allow for a planning review and approval but does not place the burden of expensive entitlement fees on a potential childcare provider. ZTA No. 06-05 does not propose to change existing land use designations and is consistent with the uses permitted in Chapter 210.04 of the HBZSO in that large family day cares will still be permitted in residential zoning districts but will no longer require a CUP in order to obtain approval.



3. A community need is demonstrated for the proposed zoning text amendment. The City of Huntington Beach has one of the highest zoning entitlement fees for large family day care homes in Orange County. There is also a need for more childcare services in the City. ZTA No. 06-05 proposes to eliminate the CUP requirement and implement a no-fee administrative permit, thereby reducing the costly entitlement fees and shortening the application processing time. The simplified process will allow potential childcare providers to better serve the needs of the community.
4. The adoption of ZTA No. 06-05 will be in conformity with public convenience, general welfare and good zoning practice. ZTA No. 06-05 will lessen the land use controls for large family day care uses and make it easier for operators to obtain approvals. The proposed zoning text amendment will enable childcare providers to obtain permits with less restrictions but still allow for planning approval to ensure that proposed large family day care homes will not significantly impact the surrounding properties and be compatible with the adjacent residential uses.

**B-4. ZONING TEXT AMENDMENT NO. 06-07 (AMENDING CHAPTER 231 OFF-STREET PARKING AND LOADING PROVISIONS):** **Applicant:** City of Huntington Beach **Request:** To amend Chapter 231, Off-Street Parking and Loading Provisions, of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to require Public Work's approval of Privacy Gates (Section 231.18 D.8.) and Parking Controls (Section 231.18 E.2.) and to require bicycle parking for non-residential uses, multi-family residential uses and amend the design standard (Section 231.20 1a., 1b., 2) Bicycle Parking. **Location:** Citywide. **Project Planner:** Rosemary Medel

**STAFF RECOMMENDATION:** Motion to "Approve Zoning Text Amendment No. 06-07 with findings for approval and forward Draft Ordinance, including the legislative draft to the City Council for adoption."

Rosemary Medel, Associate Planner, reviewed the changes to the Zoning and Subdivision Ordinance explaining the new requirement of Public Works approval for privacy gates, parking controls and bicycle parking.

Dwyer asked if privacy gates currently in place would be affected. Medel advised that those types of gates would be grandfathered into the amendment.

**THE PUBLIC HEARING WAS OPENED**

**WITH NO ONE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.**

**A MOTION WAS MADE BY FARLEY, SECONDED BY SCANDURA TO APPROVE ZONING TEXT AMENDMENT 06-07 WITH FINDINGS FOR APPROVAL AND FORWARD DRAFT ORDINANCE, INCLUDING THE LEGISLATIVE DRAFT, TO THE CITY COUNCIL FOR ADOPTION, BY THE FOLLOWING VOTE:**

**AYES:** Shier-Burnett, Livengood, Scandura, Dingwall, Farley, Dwyer  
**NOES:** None  
**ABSENT:** Horgan  
**ABSTAIN:** None

**MOTION APPROVED**

**FINDINGS FOR APPROVAL**

**ZONING TEXT AMENDMENT NO. 06-07**

**FINDINGS FOR APPROVAL - ZONING TEXT AMENDMENT NO. 06-07:**

1. Zoning Text Amendment No. 06-07 incorporates previously approved text correcting Sections 231.18 and 231.20 of Chapter 231 Off Street Parking and Loading Provisions to create consistency with the goals, objectives and policies of the General Plan. The City Council identified a need to require bicycle parking within new developments to encourage the use of bicycles and provide a secure means of storage. The text added to Section 231.18 also requires the review by the Public Works Department prior to final approval for privacy gates ensuring that such approvals are compatible with vehicle stacking and location of the gates.
2. In the case of the general land use provision, the change proposed is compatible with the uses authorized in, and the standards prescribed for in the zoning district for which it is proposed because bicycle parking storage was adopted during the permit streamlining process for both residential and commercial development to encourage alternative transportation and provide for adequate storage. The amendment to Section 231.20 incorporates the City Council's approved bicycle language. Section 231.18 adds the review by the Public Works Department for the location and stacking of vehicles.
4. A community need is demonstrated for the change proposed as the proposed amendment corrects what was previously approved and identified by City Council as a need to have onsite bicycle parking to encourage alternative transportation methods.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice because the Circulation Element of the General Plan speaks to Bicycle Facilities, acknowledging the needs of the community and bicycle enthusiasts by providing for numerous bicycle facilities throughout the City. Adding further review by Public Works Department for privacy gates will also ensure that the addition of privacy gates does not adversely impact surrounding properties creating a traffic hazard.

**C. CONSENT CALENDAR:**

**C-1. PLANNING COMMISSION MINUTES DATED SEPTEMBER 12, 2006**

**RECOMMENDED ACTION:** Motion to: "Approve the September 12, 2006, Planning Commission Minutes as submitted."

**A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SCANDURA, TO APPROVE THE SEPTEMBER 12, 2006, PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:**

**AYES:** Shier-Burnett, Livengood, Scandura, Dingwall  
**NOES:** None  
**ABSENT:** Horgan  
**ABSTAIN:** Dwyer, Farley

**MOTION APPROVED**

**D. NON-PUBLIC HEARING ITEMS - NONE**

**E. PLANNING ITEMS**

- E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING**  
**Scott Hess, Acting Planning Director** - reported on the items from the previous City Council meeting.
- E-2. CITY COUNCIL ITEMS FOR NEXT MEETING**  
**Scott Hess, Acting Planning Director** - reported on the items scheduled for the next City Council meeting.
- E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING**  
**Scott Hess, Acting Planning Director** - reported on the items scheduled for the next Planning Commission meeting.

**F. PLANNING COMMISSION ITEMS**

**F-1. PLANNING COMMISSION REQUEST ITEMS – NONE**

**F-2. PLANNING COMMISSION COMMENTS**

Commissioner Shier-Burnett – Conveyed get well wishes to Commissioner Horgan.

Commissioner Livengood – Sent get well wishes to Commissioner Horgan and stated that the recent ethics course he attended contained some excellent information and suggested it be provided in all new commissioner packets.

Vice-Chairperson Scandura – Wished Commissioner Horgan well and thanked Chair Dingwall for all his work on the Planning Commission.

Chairperson Dingwall – Reminded everyone that the holidays are on the way and to remember to volunteer to help the 3/1 Marines.

Commissioner Farley – Gave his best wishes to Herb Fauland and his family due to their recent loss.

Commissioner Horgan – Absent.

Commissioner Dwyer – Read the Community Services newsletter item regarding the Senior Santa Program and urged residents to donate needed goods.

**ADJOURNMENT:**

**Adjourned at 8:45 p.m. to the Holiday Celebration at King's Fish House, Bella Terra Mall, at 6:00 p.m. on Tuesday, December 12, 2006.**

**NOTE: The regularly scheduled meeting of November 28, 2006, has been cancelled.**

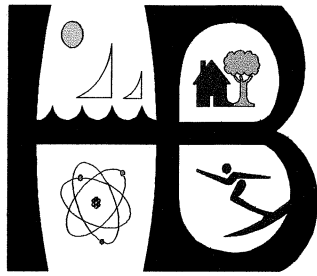
APPROVED BY:

---

Scott Hess, Secretary

---

Robert Dingwall, Chair



# MINUTES

## HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, DECEMBER 12, 2006

HUNTINGTON BEACH CIVIC CENTER

2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:00 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

### CALL PLANNING COMMISSION MEETING TO ORDER

**ROLL CALL:**                    *A*                    *P*                    *P*                    *P*                    *A*                    *P*                    *A*  
*Shier-Burnett, Livengood, Scandura, Dingwall, Farley, Horgan, Dwyer*  
*(Commissioners Shier-Burnett, Dwyer and Farley arrived at 5:05 p.m.)*

### AGENDA APPROVAL

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SCANDURA TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF DECEMBER 12, 2006, BY THE FOLLOWING VOTE:

AYES:                    Livengood, Scandura, Dingwall, Horgan

NOES:                    None

ABSENT:                Shier-Burnett, Farley, Dwyer

ABSTAIN:              None

### MOTION APPROVED

#### A. PROJECT REVIEW (FUTURE AGENDA ITEMS):

- A-1.                    MITIGATED NEGATIVE DECLARATION NO. 00-07/COASTAL  
DEVELOPMENT PERMIT NO. 00-13/CONDITIONAL USE PERMIT NO. 00-43  
(PARK AVE. MARINA) – Rami Talleh

Rami Talleh, Associate Planner, gave an overview of the proposed project. He identified issues related to compatibility with the surrounding area, public access to coastal amenities, site grading/flood compliance and dredging of the channel to provide access to docks. He also stated that seven letters were received from neighbors.

Shier-Burnett voiced concern regarding the policing of the new parking spaces so they are not abused by the public. Talleh stated he would provide more detailed information at the next meeting.

Horgan asked if it was common practice not to notify the residents of a negative declaration. Talleh advised that CEQA does not require it for negative declarations.

Discussion ensued between Commissioners and staff regarding traffic, Huntington Harbor Property Owners Association involvement, the proposed caretaker, and public access to the marina.

Chair Dingwall directed staff to provide detailed information on the following items regarding this proposed project: Location of the small boat ramp; location of parking spaces (both old and new); proposed security guard; gating; pathway locations for the public facilities; signage for patrons; restroom facilities (location and ADA requirement); picnic area information (size, number of tables and access); the definition of a marina; and the locations of other open space that is privately owned but publicly zoned.

Scott Hess, Acting Planning Director, stated that this information would be provided to the Commissioners.

- B. **STUDY SESSION ITEMS** - NONE
- C. **AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS)** - NONE
- D. **PLANNING COMMISSION COMMITTEE REPORTS** - NONE
- E. **PUBLIC COMMENTS** (Regarding Study Session Portion of Meeting):

Michael Van Voorhis, resident, spoke in opposition to the proposed project and stated that he attended the meeting regarding this project over four years ago. He advised that the negative declaration does not cover cumulative effects such as road measurements being too short, therefore the anticipated amount of traffic would be dangerous for residents. Other issues of concern are boat noise and pollution.

Tom Barry, resident, stated that he is against the proposed project and advised he would not grant an easement on his land for the new boat dock and caretaker's cottage.

Mike Adams, Consultant, explained the history of the property and the compatibility of the proposed project. He stated that design issues could be addressed and that the marina would not draw a lot of traffic. He stated that the applicant is anxious to resolve any mitigation issues.

Commissioner Scandura asked if an easement must be granted from the adjacent neighbors in order for the project to proceed.

Hess stated a 22 foot wide access easement would be required. This would require both neighbors to grant an easement in order for the applicant to proceed with the proposed project.

- F. **PLANNING COMMISSION COMMENTS** - NONE

7:00 P.M. – COUNCIL CHAMBERS

**CANCELLED: NO PUBLIC HEARINGS**

**ADJOURNMENT:**

**Adjourned at 5:45 pm to the Holiday Celebration at King's Fish House. The regularly scheduled meeting of December 26, 2006 has been cancelled. The next tentatively scheduled regular meeting is January 9, 2007.**

APPROVED BY:

\_\_\_\_\_  
Scott Hess, Secretary

\_\_\_\_\_  
Robert Dingwall, Chair



City of Huntington Beach Planning Department

# STAFF REPORT

**TO:** Planning Commission  
**FROM:** Scott Hess, Acting Director of Planning  
**BY:** Jane James, Senior Planner *JJ*  
**DATE:** January 23, 2007

**SUBJECT:** **EXTENSION OF TIME NO. 06-10 (PACIFIC CITY- TENTATIVE TRACT MAP NO. 16338)**

**APPLICANT/  
PROPERTY  
OWNER:** Makar Properties, LLC, Michael Gagnet, 4100 MacArthur Blvd., Suite 200, Newport Beach, CA 92660

**LOCATION:** 21002 Pacific Coast Highway (31-acre site bounded by Pacific Coast Highway, First Street, Atlanta Avenue, and Huntington Street)

---

## STATEMENT OF ISSUE:

- ♦ Extension of Time No. 06-10 for Tentative Tract Map No. 16338 represents a request to extend the tentative tract map expiration date for the Pacific City subdivision for one additional year to March 23, 2008.
- ♦ Staff's Recommendation: Approve Extension of Time for Tentative Tract Map No. 16338.

## RECOMMENDATION:

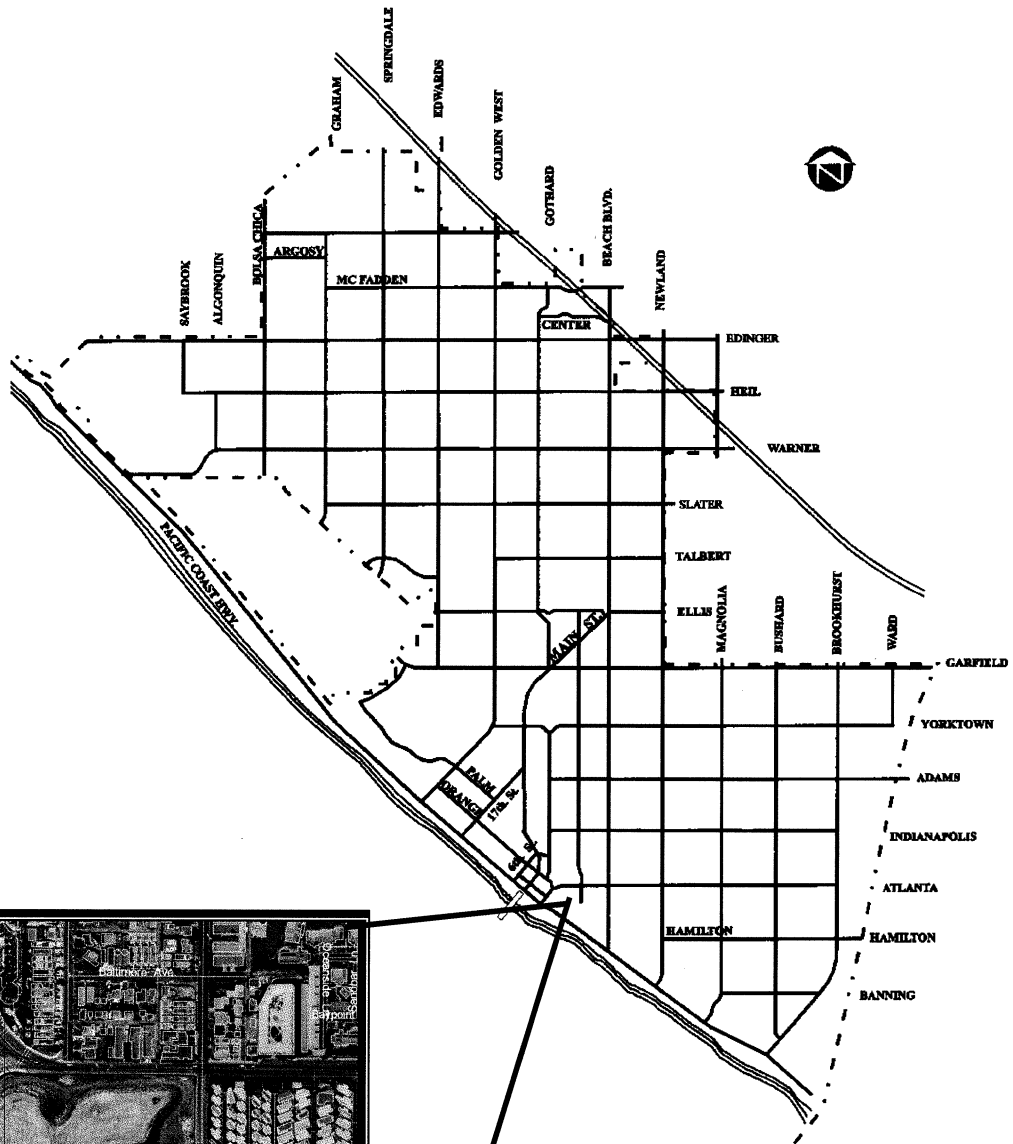
Motion to:

“Approve Extension of Time No. 06-10 for Tentative Tract Map No. 16338 for a one year period of time to March 23, 2008.”

## ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. “Deny Extension of Time No. 06-10 for Tentative Tract Map No. 16338 with findings for denial.”
- B. “Continue Extension of Time No. 06-10 for Tentative Tract Map No. 16338 and direct staff accordingly.”



## VICINITY MAP

EXTENSION OF TIME NO. 06-10 (PACIFIC CITY – TENTATIVE TRACT MAP NO. 16338)  
THE CITY OF HUNTINGTON BEACH



## **PROJECT PROPOSAL:**

Extension of Time No 06-10 for Tentative Tract Map No. 16338 represents a request pursuant to Huntington Beach Zoning and Subdivision Ordinance (HBZSO) Section 251.16 B to extend the tentative tract map expiration date for one additional year to March 23, 2008.

### **Background:**

On June 7, 2004, the City Council approved Tentative Tract Map No. 16338 subdividing approximately 27.8 net acres (31.5 gross acres) into three parcels for purposes of developing a mixed-use project. Also included with the approval were Conditional Use Permit No. 02-20 and Coastal Development Permit No. 02-12 for the development of a 191,100 sq. ft. mixed use project consisting of:

- retail, office, restaurant, cultural, and entertainment uses;
- a 400 room, eight story hotel, spa and health club above two levels of subterranean parking with 1,542 spaces;
- 516 condominium units within a mix of two, three, and four story buildings above two levels of subterranean parking with 1,291 spaces;
- a 2.03 acre Village Green Park easement;
- associated infrastructure including the extension of Pacific View Avenue;
- outdoor dining;
- alcohol beverage sales;
- live entertainment indoors and outdoors;
- dancing within the proposed restaurants and hotel development;
- carts and kiosks within the commercial and hotel development;
- a Conceptual Master Plan providing an overall buildout plan of the commercial and residential portions of the site; and
- Environmental Impact Report (EIR) No. 02-01 to address the potential environmental impacts.

On May 18, 2006, the Design Review Board reviewed and approved the revised Pacific City Hotel plans. The modified plans included a reduced hotel design with 165 rooms and a 12,000 sq. ft. restaurant.

On June 1, 2006 the City of Huntington Beach acknowledged and confirmed a stay of expiration for Tentative Tract Map No. 16338 from June 7, 2006 to January 22, 2007 pursuant to HBZSO Section 251.14 and Government Code Section 66452.6, Subdivisions (a), (b), and (c) of the Subdivision Map Act. The stay of expiration covered the time period during which litigation was pending involving the approval of Tentative Tract Map No. 16338. With the stay of expiration, Tentative Tract Map No. 16338 was due to expire on January 22, 2007.

Government Code Section 66452.6, Subdivisions, (e) further provides that upon an application by the subdivider to extend a map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. Therefore, with the automatic 60 day extension, Tentative Tract Map No. 16338 expires on March 23, 2007 (January 22, 2007 + 60 days).

On October 16, 2006, the City Council approved Entitlement Plan Amendment No. 06-02 to amend two conditions of approval of Tentative Tract Map No. 16338. The two conditions pertained to affordable housing and park land in-lieu fee requirements and were changed to be consistent with the proposed Owner Participa-

tion Agreement (OPA) between Makallon Atlanta Huntington Beach, LLC, the City of Huntington Beach, and the City of Huntington Beach Redevelopment Agency.

**ISSUES:**

**SUBJECT PROPERTY AND SURROUNDING LAND USE, ZONING, AND GENERAL PLAN DESIGNATIONS:**

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	CV-F7-sp (Commercial Visitor with max. 3.0 floor area ratio and a Specific Plan Overlay) and RH-30-sp (High Density Residential with 30 du/gac and a Specific Plan Overlay)	Downtown Specific Plan (SP 5) – District 7 (Visitor Serving Commercial) and District 8A (High Density Residential)	Vacant
North of Subject Property (across Atlanta Ave.):	RMH-25-d (Residential Medium High Density with max. 25 du/ac and Design Overlay)	RMH-A (Residential Medium High Density-Small Lot Subdistrict)	Multi-family units
East of Subject Property (across Huntington St.):	RM-15 (Residential Medium Density with max. 15 du/ac) and CV-F7-sp (Commercial Visitor with max. 3.0 floor area ratio and a Specific Plan Overlay)	RMP (Manufactured Home Park) and SP 5 – District 9 (Commercial/Recreation)	Mobilehome park and Waterfront Hilton Hotel
South of Subject Property (across PCH):	OS-S (Open Space-Shore)	SP 5 – District 11 (Beach Open Space)	South Beach Parking Lot, Beach and Beach Improvements
West of Subject Property (across 1st St.):	MV-F6/25-sp-pd (Mixed Use Vertical with max. 2.0 floor area ratio, max. 25 du/ac, Specific Plan Overlay and a Pedestrian Overlay)	SP 5 – District 3 (Visitor Serving Commercial) and District 5 (Mixed Use; Commercial/Office/ Residential)	Commercial, Oil-Related and Residential

**ENVIRONMENTAL STATUS:**

Tentative Tract Map No. 16338 was originally covered under EIR No. 02-01 approved and certified by the City Council on June 7, 2004. This Extension of Time No. 06-10 requires no further environmental analysis pursuant to the California Environmental Quality Act General Rule, which states that “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” The act of extending the expiration date of Tentative Tract Map No. 16338 will have not have a significant effect on the environment.

**OTHER DEPARTMENT CONCERNS AND REQUIREMENTS:**

The Departments of Public Works and Fire have no comments or concerns regarding the extension of time for Tentative Tract Map No. 16338.

**PUBLIC MEETINGS, COMMENTS AND CONCERNS:**

The request was presented to the Planning Commission at the January 9, 2007 Study Session. No public comments were received.

**APPLICATION PROCESSING DATES:****DATE OF COMPLETE APPLICATION:**

December 21, 2006

**MANDATORY PROCESSING DATE(S):**

March 23, 2007

**ANALYSIS:**

The applicant has made significant progress towards compliance with mitigation measures, conditions of approval, and code requirements necessary to begin construction of the mixed use project. For example, the applicant is nearing completion of construction of street improvements and off-site utilities surrounding the Pacific City site. Mass grading permits for the entire site have been approved; rough grading permits for the commercial parking structure and Phase I residential units have been submitted for plan check. The applicant is currently completing work on the construction drawings for Phase I residential units with an estimated submittal date of January 30, 2007. Working drawings for the first portion of the commercial structure are anticipated to be submitted February 28, 2007.

Staff recommends approval of Extension of Time No. 06-10 for a one year period to March 23, 2008 to allow additional time to record Tentative Tract Map No. 16338.

**ATTACHMENT:**

1. Letter from Michael Gagnet, Makar Properties, dated December 21, 2006



City of Huntington Beach

DEC 21 2006

December 21, 2006

Delivered By Hand

Scott Hess, Planning Director  
City of Huntington Beach  
2000 Main Street  
Huntington Beach, CA 92648

Re: Request for One-Year Extension of Tentative Tract Map No. 16338  
Pursuant to Zoning and Subdivision Ordinance Section 251.16

Dear Mr. Hess:

With this letter, I am submitting Makar's formal request for a one-year extension of Tentative Tract Map No. 16338, pursuant to City Zoning and Subdivision Ordinance section 251.16 ("ZSO"), to allow Makar and our engineers sufficient time, if needed to update and plan check the final map currently being processed through the City of Huntington Beach.

It is our understanding that, pursuant to Government Code Section 66452.6(c) and upon the Agency's approval, this requested one-year extension will begin following the period of the litigation stay previously requested by Makar and approved by the City on June 1, 2006 for the time period during which litigation was pending involving the approval of Tentative Tract Map No. 16338.

Attached is a copy of a receipt from our previous effort to request a one year extension for the Pacific City tract map. Please let us know if there are any additional materials or fees required to be submitted in order for this extension request to be evaluated.

Thank you,

A handwritten signature in black ink, appearing to read 'Michael Gagnet', written over a horizontal line.

Michael Gagnet